



EMPLOYMENT TRIBUNALS

Claimant: Mrs L Doughty

Respondent: LBS Worldwide Limited (in Corporate Voluntary Arrangement)

Heard at: Manchester

On:

4 October 2018

Before: Regional Employment Judge Parkin

REPRESENTATION:

Claimant: No attendance

Respondent: No attendance

JUDGMENT

The judgment of the Tribunal is that the claimant's claim is dismissed.

REASONS

1 The claimant presented an ET1 claim form on 11 October 2017 complaining of sex discrimination and disability discrimination relating to the termination of her employment on 21 July 2017. An ET3 response was presented by the respondent on 25 October 2017; although that response indicated that the respondent defended the claim, it set out only that the company had been placed into administration on 16 October 2017 such that the claimant needed permission of the administrator to pursue her claim. The claim was stayed because of the administration but the stay was lifted once the company moved from administration into corporate voluntary arrangement.

2 The respondent never sought to amend its response giving any grounds of resistance if it was to resist the claim actively. However, the claimant also made no active participation in the proceedings and in particular failed to reply to a letter from the Tribunal dated 7 September 2018, asking if she was pursuing her claim; she did not attend hearings in her claim listed on 28 August 2018 and 4 October 2018. On those dates, the Tribunal dealt with the claims of many other claimants who had been summarily dismissed for redundancy as a result of the respondent's insolvency in early September 2017.

3 In those circumstances and applying Rule 47 of the Employment Tribunals Rules of Procedure 2013, the Tribunal inferred that the claimant had decided not to proceed with her claim and dismissed it in her absence on the second hearing date when she did not attend.

Regional Employment Judge Parkin

Date: 4 October 2018

JUDGMENT SENT TO THE PARTIES ON

9 October 2018

FOR THE TRIBUNAL OFFICE

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