



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Miss. N. Josiah

**v Pearls Tearoom & Patisserie Limited
(In Creditors Voluntary Liquidation)**

Heard at: Leeds

On: 31 October 2019

Before:

Employment Judge Wedderspoon

Appearance:

For the Claimant: Did not attend

For the Respondent: Did not attend

JUDGMENT

The Claimant's claim is dismissed.

REASONS

1. By Claim Form dated 2 September 2019 the Claimant brought a complaint for holiday pay against her former employer, the Respondent. Her case is that she was employed as a waitress at the tearoom and was employed from 18 June 2018 to 30 June 2019. At the end of her employment she was not paid any holiday pay. This matter was due to be heard today.
2. By email dated 20 September 2019 Haseeb Butt of Quantuma LLP informed the Tribunal that Tauseef Rashid and Rehan Ahmed had been appointed joint Liquidators of the Respondent Company. He stated that all employee claims will be dealt with by the Redundancy Payments Services (RPS).
3. On 15 October 2019 the Tribunal wrote to the parties to state the claim would proceed to the listed hearing unless the Claimant informs the Tribunal that she has received payment from the Redundancy Payment Service. By letter dated 18 October 2019 the Tribunal requested the Claimant by 25 October 2019 to provide details of wages and holiday pay to calculate any award. In the alternative she was requested to attend the Tribunal on the listed hearing date. She was reminded about the date of the hearing.

4. The Claimant did not send in any details about wages or holiday pay to the Employment Tribunal by 25 October 2019 or at all. The Claimant did not attend the Employment Tribunal for the listed hearing and did not contact the Tribunal to state she was unable to attend.
5. Pursuant to Rule 47 of Schedule 1 of the Employment Tribunal (Constitution and Rules of Procedure) Regulations 2013 the Employment Tribunal has a discretion to dismiss a claim or proceed with the hearing in the absence of a party. The Claimant has not provided any details for her claim to be calculated. The Claimant failed to attend the hearing.
6. In the circumstances and in accordance with the overriding objective it is proportionate and in the interests of justice to dismiss the Claimant's claim.

Employment Judge Wedderspoon

Date: 31 October 2019