



EMPLOYMENT TRIBUNALS

Claimant: Miss S Proudlock

Respondent: Mr Bakers

HELD AT: Newcastle

ON: 09 March 2023

BEFORE: Employment Judge Moss

REPRESENTATION:

Claimant: Not present

Respondents: Not present

JUDGMENT

The claimant's claims are dismissed, pursuant to Rule 47 of the Employment Tribunals Rules of Procedure 2013.

REASONS

The claimant failed to attend the hearing. She had not made a request for a postponement. A member of the Tribunal administration team telephoned the claimant shortly after 10 am but the call went unanswered. A voicemail message was left for the claimant and the matter was stood down until 10.30 am. No contact was made by the claimant with the Tribunal by that time and consideration was given as to how to proceed.

Rule 47 of the Employment Tribunals Rules of Procedure 2013 ("the 2013 Rules") applied. That provides: "If a party fails to attend or to be represented at the hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of that party. Before doing so, it shall consider any information which is available to it, after any enquiries that may be practicable, about the reasons for the party's absence."

The claims are for unpaid wages, holiday pay and notice pay. The claimant had been written to by the Tribunal on 16 February 2023 asking that she provide the full and correct name of her former employer within 14 days because she had seemingly provided only a trading name. The claimant did not respond.

Not having responded to that request, and not having appeared today or requested a postponement, or made any contact at all with the Tribunal to explain her absence, it is inferred that the claimant is not actively pursuing the claims. Dismissal is therefore deemed proportionate and justified in the circumstances of this case.

Employment Judge Moss

Date 09 March 2023

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.