



EMPLOYMENT TRIBUNALS

Claimant: Mr K Rowlandson

Respondent: Elite Linen Textile Services Limited

HELD AT: Manchester by CVP

ON: 12 March 2021

BEFORE: Employment Judge Holmes

REPRESENTATION:

Claimant: Not in attendance or represented

Respondent: Mr M Bradley, Director

JUDGMENT

The judgment of the Tribunal is:

1. The name of the respondent is amended to Elite Linen Textile Services Limited
2. The claimant's claim is dismissed pursuant to rule 47 of the 2013 Rules of Procedure.

REASONS

1. The Tribunal today was listed to hear the final hearing of the claimant's complaint of unlawful deductions from wages. Notice of Hearing was sent to the parties on 7 November 2020, upon issue of the claim.
2. Further, a letter from the Tribunal, confirming that the hearing would proceed by CVP, and providing joining instruction, was sent to the parties on 25 February 2021, by email.
3. The case was called on at 10.00 a.m., but the claimant had not attended, whilst the respondent had, in the person of Mr Bradley, a Director.
4. The Tribunal stood the case down for enquiries to be made of the claimant. A message was left on his mobile telephone. He did not respond, and nothing was heard from him by 10.30 a.m.. The Employment Judge therefore commenced the hearing,

and Mr Bradley invited the Tribunal to dismiss the claimant's claims under rule 47 of the Tribunal's rules of procedure . He informed the Tribunal that the respondent had had no direct communication from the claimant , but he had, apparently been in contact with ACAS, but that was on 9 February 2021, at the latest.

5. In these circumstances Mr Bradley invited the Tribunal to exercise the power it has to dismiss the claimant's claims under rule 47 of the Tribunal's rules of procedure. This rule provides that , if that party does not attend or is represented at the hearing, provided that the Tribunal has first considered all the information which is available to it , after any enquiries that may be practicable about the reason for the party's absence, the Tribunal may dismiss the claim.

6. Having made these enquiries of the respondent, checked with the Tribunal's administration for any communication from the claimant , and having no explanation from the claimant for his absence, or the lack of any participation in preparation for the hearing, the Employment Judge was minded to dismiss the claimant's claims, and did so.

7. If the claimant seeks reconsideration of this judgment , he must do so within 14 days of it being sent to him. Any such application must be copied to the respondent, and contain an explanation of why the claimant failed to attend, be represented at, or to make any preparations for the hearing.

Employment Judge Holmes

Date: 12 March 2021

JUDGMENT AND REASONS SENT TO THE PARTIES ON

17 March 2021

FOR THE TRIBUNAL OFFICE

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