



EMPLOYMENT TRIBUNALS

London Central Region

Heard by CVP on 7/1/2022

Claimant: Mr S Mulford

Respondent: Matchu Recruitment Ltd

Before: Employment Judge Mr J S Burns

Representation

Claimant: no attendance

Respondent: Ms Y Jin (ex-employee authorized by Mr Wei Wei Jing director)

JUDGMENT

The claim is dismissed

REASONS

1. There was a previous Full Merits Hearing on 22/11/21 which was adjourned unheard in the absence of the Claimant, he having been aware of the hearing but having decided not to attend. The record of the hearing of 22/11/21 at paragraph 14 warned the parties that if they or either of them failed to attend at the next hearing, the trial may proceed in their absence. The matter was then relisted for a further FMH for today 7/1/22. The Claimant was sent notice of the new hearing date, as well as joining instructions. The Claimant failed to attend on the hearing this afternoon, and has failed to respond to an email I sent him earlier today. I rang his mobile number at 2.05 pm but was answered by a machine, and thus could not speak to the Claimant. I am however satisfied that he is aware of the hearing today. I therefore decided to proceed with the hearing under Rule 47.
2. I read the ET1 and ET3 and heard evidence on oath from Ms Jin who was previously employed by the Respondent as a recruitment agent, and who was the person who dealt with the Claimant in July 2021, when the Respondent tried unsuccessfully to place the Claimant with a third-party company called Fafabet. The placement was unsuccessful because the Claimant asked many questions about or objected to terms of the proposed contract between himself and Fafabet.

3. The Respondent had a contract with Fafabet under which the latter would have paid a fee to the Respondent if the placement of the Claimant was successful. In the event no fee was paid to the Respondent in respect of the Claimant's proposed but finally abortive placement. The Claimant at no time entered into a contract with the Respondent nor was it ever envisioned that he would do so. He was not the employee of the Respondent and has no basis for bringing any claim against the Respondent in the Employment Tribunal.

J S Burns Employment Judge
London Central
7/1/22
For Secretary of the Tribunals
Date sent to parties
10 Jan. 22
