



EMPLOYMENT TRIBUNALS

Claimant:

Mr D Haj Salah

v

Respondent:

Reading Town Chicken Limited

Heard at:

Reading

On: 10 January 2020

Before:

Employment Judge Anstis

Appearances:

For the Claimant: No attendance or representation

For the Respondent: No attendance or representation

JUDGMENT

The claimant's claims are dismissed.

REASONS

1. The claimant's claims were identified at a preliminary hearing on 28 February 2019 as being for unpaid wages of £546.25 and holiday pay of £380: being respectively 57.5 hours unpaid wages and 40 hours of holiday pay at £9.50/hour.
2. Both parties have been notified of this hearing and were reminded of it by email on 3 January 2020. Neither party has attended and no applications to adjourn have been received. Nothing has been heard by the tribunal from either party since the preliminary hearing.
3. I consider that under rule 47 I should proceed to consider the claim in the parties' absence.
4. The only substantial material I have on which to base that consideration is the claim form and the respondent's grounds of resistance. The claimant's claim form suggests that he has not been paid but gives no basis on which I could conclude the amount of any non-payment, nor does it address the question of holiday pay. The respondent's response is to the effect that the claimant had claimed pay for shifts he had not worked and had not returned his uniform.

5. It is ultimately for the claimant to prove his entitlement to unpaid wages or holiday pay and on the material before me he has not done so. His claims are dismissed.

Employment Judge Anstis
10 January 2020

Sent to the parties on:23.01.20...

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For the Tribunal Office

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