



EMPLOYMENT TRIBUNALS

Claimant: Mr Daniel Menear

Respondent: Shedrite Sheds Limited (In Voluntary Liquidation)

Heard: by CVP in Birmingham

On: 09th February 2023

Before: Employment Judge Codd

Appearances

For the Claimant: Failed to attend

For the Respondent: Failed to attend

JUDGMENT

RULE 21 OF THE EMPLOYMENT TRIBUNALS RULES OF PROCEDURE 2013

1. The name of the Respondent is amended to Shedrite Sheds Limited (in Voluntary Liquidation).
2. The claim for unpaid wages, overtime pay, notice pay and holiday pay fails and is dismissed.

REASONS

3. The Respondent has failed to engage with these proceedings. No ET3 form or response has been filed with the Tribunal. The only communication from the Respondent has been an email sent on 7th February 2023, by Carl Lucas a Director of the Respondent, to advise that he had been contacted by ACAS and he had informed them, that the company had now entered Voluntary Liquidation. I have amended the name of the Respondent accordingly.
4. A Rule 21 letter was served upon the Respondent on 25th January 2023.
5. Despite emailing the Tribunal on 25th January 2023, responding to further directions to clarify the matters claimed, the Claimant has failed to attend the hearing today.
6. I have considered whether in the circumstances it would be appropriate to issue a default Judgment in the Claimant's favour, given the Respondent's failure to engage.
7. However, on the written information that I have, without further clarification from the Claimant, it is not possible for me to determine what, if any, sums are properly payable, or over what time period.
8. Whilst the Claimant has provided his hourly rate and a figure claimed. There is no clarification as to how this sum is made up or separated between, the unpaid wages claimed, notice, overtime and unpaid holiday. Limited details have been provided for the end date of employment, but there is no clarification as to when he was last paid.
9. In all of the circumstances, I do not consider it to be appropriate to make any award, without further information from the Claimant, and I dismiss the claim accordingly.

Employment Judge **Codd**

9th February 2023

Written reasons will not be provided unless a written request is presented by either party within 14 days of the sending of this written record of the decision.

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