



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs J Pickard  
**Respondents:** Eleganze Limited  
**Heard at:** Newcastle Employment Tribunal (remotely by CVP)  
**On:** 03 April 2024  
**Before:** Employment Judge Sweeney

## Appearances

For the Claimant, No attendance

For the Respondent, Simon Barnett, director

# JUDGMENT

1. The Claimant's claims of unfair dismissal and failure to pay holiday pay are dismissed under Rule 47.

# REASONS

1. Rule 47 to Schedule 1 of the Employment Tribunals (Constitution & Rules of Procedure) Regulations 2013 provides that:

"If a party fails to attend or 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."

2. Notice of today's final hearing was sent to the parties on **08 December 2023**. By an email dated **02 April 2024**, the parties were sent instructions on how to join the hearing. Mr Barnett joined as instructed along with a witness, Mr Dodgon. The Claimant did not attend. The tribunal had received no correspondence from the Claimant to say that she was not going to join the hearing. At my direction, the tribunal clerk telephoned the Claimant who explained that she was not intending to join the hearing, that she had withdrawn her claims as she had moved on with her life. She said that she had told the

Tribunal before Christmas that she had withdrawn the claims. She was asked to send an email confirming this as the Tribunal had not in fact received any written withdrawal from her. She said she was busy decorating at the moment and would send it later.

3. There has been a history of the Claimant not responding to tribunal correspondence in these proceedings. She failed to respond to important letters from the tribunal dated **25 January 2024, 11 March 2024** and **22 March 2024**. Further, she did not comply with any tribunal directions. The Respondent had prepared a bundle of documents and a witness statement.
4. Having established the reason for the Claimant's non-attendance and upon it being clear that she had no intention to attend and had no intention of proceeding with her claims, the outcome was inevitable. Accordingly, I dismissed the claims against the Respondent under Rule 47 of the ET Rules of Procedure.

Employment Judge **Sweeney**

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Date: 3 April 2024

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<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>