



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr Garry Porter

v

Mr Naresh Radia

Heard at: Cambridge

On: 14 May 2018

Before: Employment Judge M Bloom

Appearances

For the Claimant: Did not attend and was not represented.

For the Respondent: Miss L Haslla, Consultant.

JUDGMENT

1. The claimant's claim for unlawful deduction of wages is dismissed.

REASONS

1. On 7 December 2017 the claimant presented a claim to the Employment Tribunal alleging unlawful deduction of wages. In his ET1 claim form the claimant stated that his last day of employment with the respondent was 14 April 2017. The ACAS early conciliation certificate was issued 10 July 2017. There is a statutory time limit of 3 months in bringing any claim for unlawful deduction of wages and on the face of it therefore the claimant's claim is approximately 4 months out of time. No explanation has been provided from the claimant for the late presentation of his claim. The claim is denied by the respondent.
2. On 23 February 2018 notice of hearing was sent to both parties. The respondent has attended together with their representative Miss Haslla. The claimant has not attended. I am told that he rang the respondent's representatives on Friday afternoon the 11 May 2018 and indicated that he would not be attending the hearing.

3. In the claimant's absence I have heard no explanation from his as to why his claim was presented outside of the statutory time limit. In any event without him attending I am unable to deal with the merits or otherwise of his claim. Pursuant to rule 47 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 the claimant's claim is dismissed.

Employment Judge M Bloom

Date: 22 May 2018

Sent to the parties on:

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For the Tribunal Office