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## EMPLOYMENT TRIBUNALS

*Claimant*

*Respondent*

Ms A Rihoy

AND

Mr K Westcott

### PRELIMINARY HEARING

**HELD AT:** London Central                      **ON:** 7 January 2019

**BEFORE:** Employment Judge Glennie (Sitting alone)

***Representation:***

**For Claimant:** Neither present nor represented

**For Respondent:** In person

### JUDGMENT

**The judgment of the Tribunal is that pursuant to Rule 47 of the Rules of Procedure the claim is dismissed.**

### REASONS

1. By her claim to the Tribunal the Claimant made complaints of unfair dismissal, breach of contract and non-payment of sums due in respect of her employment. The Respondent put in a detailed response disputing those complaints and also indicating that the correct Respondent was a company, not the individual Respondent as appears on the proceedings.

2. When the case was called on for hearing there was no appearance by the Claimant. The Tribunal Clerk telephoned the number that she had given on the file, there was no answer and the Clerk left a message. The Tribunal waited until 11:45am, but there was still no appearance by the Claimant. The Respondent stated that he had not received any witness statement or indeed any communications about the case after the claim form had been presented. In the circumstances and given in particular the detailed response in which the

Respondent sets out a defence to the claim, I have decided that I should exercise the power under Rule 47 to dismiss the claim upon the failure of the Claimant to attend.

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Employment Judge Glennie

Dated: 28 January 2019

Judgment and Reasons sent to the parties on:

29 January 2019

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For the Tribunal Office