



EMPLOYMENT TRIBUNALS

Claimant: Mr S Suleiman

Respondent: Evolution Children's Services Ltd

Heard at: North Shields

On: 5 June 2019

Before: Employment Judge Shepherd

Appearances

For the Claimant: No appearance

Respondent: Ms Furness

JUDGMENT

The complaints of unfair dismissal, race discrimination, breach of contract and unauthorised deduction from wages are struck out.

REASONS

1. The claimant failed to attend a Preliminary Hearing on 7 May 2019. At that hearing it was ordered that unless the claimant provided information by 21 May 2019 his claims would be struck out.
2. On 20 May 2019 the claimant wrote indicating that the reason for not attending the preliminary hearing on 7 May 2019 was due to him not being aware that he needed to attend. Employment Judge Garnon confirmed that the claimant had complied with the orders and a further Preliminary Hearing was listed for 5 June 2019.
3. The respondent made an application for an order that unless the claimant attended the rescheduled Preliminary Hearing his claims would be struck out.
4. On 31 May 2019 Employment Judge Johnson directed that the claimant be informed that if he did not attend the Preliminary Hearing on 5 June 2019 without reasonable reason for not doing so than his claim may be struck out at that hearing.
5. On 3 June 2019 the claimant sent an email to the Tribunal stating that he was unable to attend the hearing in person on 5 June 2019 as he had a job interview on

that day. He indicated that he would also provide a copy of his job interview confirmation if required.

6. On 4 June 2019 I directed the claimant to provide the Tribunal with a copy of the job interview confirmation and also send a copy to the respondent's representative. That email was sent to the claimant at 12:32.

6. I directed that the claimant should be written to indicating, in view of his failure to respond to the email at 12:32, the hearing would go ahead and the Judge would consider whether to strike out the claim. That email was sent to the claimant at 15:41 on 4 June 2019.

7. The claimant did not attend the hearing today. The Tribunal clerk telephoned the claimant on two occasions on the number provided but received no response.

8. I am satisfied that the claimant has been given an opportunity to make representations or to request a hearing as to why the complaints should not be struck out pursuant to rule 37 on grounds that the manner in which the proceedings have been conducted has been unreasonable. There has been a failure to comply with orders of the Tribunal and the claims have not been actively pursued.

9. The claimant has failed to make representations in writing, has failed to make sufficient representations as to why this should not be done or to request a hearing. The complaints are therefore struck out.

Employment Judge Shepherd

5 June 2019