



EMPLOYMENT TRIBUNALS

Claimant: Gemma Stork

Respondent: Mr P Sivakingam t/a Sandybank Garage

RECORD OF A FINAL HEARING

Heard at: Manchester (in public) **On:** 16 September 2019

Before: Employment Judge Hoey
Ms Dowling
Ms Cadbury

Representative for claimant: Not in attendance nor represented

Representative for respondent: Mr Keenan (solicitor)

JUDGMENT

In terms Rule 47 of Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, each of the claimant's claims are dismissed following the non-attendance of the claimant, the Tribunal having considered all information before it and having made reasonable enquiries as to the reasons for the claimant's absence.

REASONS

1. This claim called as a final Hearing to determine each of the claims that had been raised by the claimant. The issues had been identified and case management orders issued at a case management preliminary hearing on 10 January 2019 when the Hearing dates were fixed.

2. The claimant did not attend the Hearing today. The respondent was in attendance with witnesses. The claimant had prepared an impact statement in February but had not further engaged with the respondent. No witness statement had been provided by the claimant despite the respondent issuing their witness statement and reminding the claimant of the order. The claimant had not engaged in the Tribunal process.
3. The Tribunal delayed commencement for around 25 minutes and called the claimant, without success.
4. Having considered matters and having heard the respondent's representative the Tribunal unanimously agreed to dismiss the claims. It was not possible to determine the claims in the claimant's absence given she had not provided any witness statement. Reasonable enquiries had been made of the claimant as to the reasons for her absence. She had been advised as to the Hearing dates.
5. In the event the claimant has good reason why she was not in attendance, it is open for the claimant to write to the Tribunal (copying same to the respondent's agent) in terms of Rules 70 and 71 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 seeking a reconsideration of this judgment. If she does so, she should provide reasons for her absence and application.
6. The Tribunal's unanimous judgment is that the claims are dismissed.

Employment Judge Hoey

Date: 16 September 2019

JUDGMENT SENT TO THE PARTIES ON

28 September 2019

FOR THE TRIBUNAL OFFICE