



EMPLOYMENT TRIBUNALS

Claimant Mr M K Iqbal

Respondent First Beeline Buses Limited

Heard at: Reading **On: 28 October 2019**

Before: Employment Judge Gumbiti-Zimuto

Appearances

For the Claimant: In Person

For the Respondent: Not attending

JUDGMENT

The respondent is ordered to pay to the claimant the sum of £1241.97.

REASONS

1. The claimant claims that the respondent failed to pay him respect of hours worked as a bus driver. The respondent stated in their response that the claimant was not entitled to be paid because the time in respect of which the claimant wanted to be paid were break times for which he was not entitled to payment.
2. The case came before me for hearing on the hearing on the 10 January 2019 on that occasion the claimant attended but the respondent did not. I made a number of orders and adjourned the hearing to the 28 October 2019.
3. The orders I made required the respondent is to disclose to the claimant, the claimant's duty cards for the period from 29 November 2016 until 28 February 2018.
4. Once the claimant had access to the duty cards the claimant was to provide to the respondent written confirmation of the amount that he is claiming with a brief explanation of how the figure has been arrived at.
5. The respondent was ordered to notify the claimant whether the amount he is claiming is admitted or denied.

6. The parties were then to serve on each other copies of the signed statements of themselves and of all witnesses on whom they intend to rely. The parties were informed that oral evidence will not be permitted at this hearing from a witness whose statement has not been served in accordance with the order or has been served late, except with permission from the Tribunal. Any documents relied on by a witness should be exhibited to the witness statement and served together to the witness statement.
7. The respondent provided the claimant with copies of duty cards attached to an email dated 27 January 2019.
8. The claimant prepared a schedule setting out details of the unpaid hours and sum claimed of £1241.97. The respondent has not notified the claimant whether the amount he is claiming is admitted or denied.
9. The claimant has sent to the respondent, dated 16 October 2019 a letter purporting to be his statement in compliance with the order made on the 10 January 2019. The statement attached a schedule setting out the sums that the claimant is seeking from the Tribunal.
10. The respondent has not served on the claimant any statements of the evidence or documents relied.
11. The respondent has not attended or been represented at the hearing today. The respondent has provided no explanation for its failure to attend today or at the earlier hearing.
12. If a party fails to attend or to 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.
13. Having considered the claimant's evidence which is uncontested by any other evidence from the respondent I am satisfied that the claimant is entitled to recover the sum of £1241.97. I order that the respondent pay that sum to the claimant.

Employment Judge Gumbiti-Zimuto

Dated: 28 October 2019

Sent to the parties on:

6 November 2019

For the Tribunal:

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