



EMPLOYMENT TRIBUNALS

Claimant

Mr K Harborne

v

Respondent

Karaoke Box Limited

JUDGMENT ON PRELIMINARY HEARING

RULE 47; TRIBUNAL RULES OF PROCEDURE 2013

Heard at: Birmingham

On: 6 November 2019

Before: Employment Judge Lloyd

Appearances

For the Claimant: Did not attend

For the Respondent: Ms K Bennett, Litigation Executive

JUDGMENT

- 1) The correct respondent is "Karaoke Box Limited". I dismiss Ashley Walton from the proceedings and substitute the correct party.
- 2) Rule 47 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 provides;

"Non-attendance

47. 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. "

- 3) The claimant has failed to attend the scheduled preliminary hearing, having been properly notified in advance by a notice of hearing on 4 July 2019.
- 4) The tribunal clerk has contacted the mobile and landline telephone numbers given by the claimant in his ET1 claim. The mobile number was unanswered. A voice message was left; but has not been responded to. The landline call was answered "wrong number" by a female voice.
- 5) Having considered all the information available to the tribunal, I exercise my power under Rule 47 to dismiss the claimant's claim forthwith in its entirety.

Employment Judge Lloyd
6 November 2019