



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr A Ambrose

**Respondents:** Noyon Environmental Limited

**At:** Central London Employment Tribunal

**Before:** Employment Judge JL Wade

## JUDGMENT

1. The respondent has failed to file ET3 Grounds of Resistance in this case. David Beckwith of the respondent emailed the tribunal, not copying in the claimant, on 19 February asking for the hearing to be postponed because he had a chest infection. This was not verified by any medical evidence. The email shows that the respondent knew of the hearing but has failed to file a defence and so it is not permitted to participate in the proceedings in any event.
2. Having considered the ET1, EJ Wade has decided that a determination of the claim can properly be made without a hearing.
3. The Judgment of the Tribunal, made under rule 21 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, is that the respondent has unlawfully failed to pay wages, holiday and notice pay to the claimant.
4. The tribunal orders the respondent to pay to the claimant as follows:
  - 4.1 Wages of £833.33
  - 4.2 Holiday pay of £866.66 and
  - 4.3 Notice pay of £433.33and to account to HMRC for any tax and NI due.
5. **The hearing listed for 20 February will not take place as judgment has now been given and the parties must not attend.**

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**Employment Judge Wade**

**Dated: 19 February 2020**

Sent to the parties on:

19<sup>th</sup> Feb 2020

For the Tribunal:

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