



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss B Lawless

**Respondent:** Awelon Healthcare

**Heard at:** Cardiff **On:** 10 August 2020

**Before:** Employment Judge R Harfield (sitting alone)

**Representation:**

Claimant: Did not attend

Respondent: Mr George (Solicitor)

## JUDGMENT

### Introduction

1. This matter came before me today for a public preliminary hearing by way of video conference. The hearing was ordered by Employment Judge P Davies in a telephone case management preliminary hearing heard on 21 May 2020. In his case management order Judge P Davies identified that this preliminary hearing would consider strike out of the claimant's unfair dismissal claim on the basis that the claimant does not have 2 years' service to bring such a claim, and strike out of her wrongful dismissal claim on the basis that the respondent states they paid the claimant her 1 week contractual notice period. Judge P Davies also identified that the claimant was bringing a disability discrimination claim and made a series of directions relating to that claim such as the claimant providing particulars setting out the allegations of disability discrimination, providing an "impact statement" about why she says she was a disabled person and provision of GP records. Both parties agreed that today's hearing could proceed by way of video hearing.
2. On 13 July 2020 the respondent wrote to the Tribunal stating that the claimant had not complied with Judge P Davies' case management order. On 31 July 2020, on the direction of Employment Judge Moore, the claimant was sent a strike out warning stating that she was considering

striking out the claim because of a failure to comply with the Tribunal orders of 21 May 2020 and that the claim was not being actively pursued. The claimant was to set out any objection in writing or request a hearing by 7 August 2020. (In any event today's hearing had already been set). The Tribunal received no further response from the claimant. On 7 August the parties were sent the login details for today's hearing.

3. The claimant did not attend today. At 10:05 the Tribunal staff attempted to contact the claimant by telephone. There was no answer so a voicemail message was left. By 10:10 the claimant had not joined the hearing.
4. Under Rule 47 of the Employment Tribunal Rules of Procedure I therefore decided to dismiss the claim due to non attendance by the claimant. I would in any event, given the absence of a response from the claimant, also have struck the claim out under Rule 37 for non compliance with the Tribunal orders and/or because the claimant is not actively pursuing her claim.

Judgment

5. Under Rule 47 the claimant's claim is dismissed for failing to attend or to be represented at today's hearing.

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Employment Judge Harfield

Dated: 10 August 2020

JUDGMENT SENT TO THE PARTIES ON 10 August 2020

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FOR THE SECRETARY OF EMPLOYMENT TRIBUNALS