



EMPLOYMENT TRIBUNALS

Claimant: Miss T Fung

Respondent: The Real Macaw (Leicestershire) Limited

Heard at: Nottingham **On:** Monday 14 September 2020

Before: Employment Judge Blackwell (sitting alone)

Representatives

Claimant: Did not attend

Respondent: Mr J Gunnion, Legal Representative

JUDGMENT

The Employment Tribunal Judge gave judgment as follows:-

The Preliminary Hearing is adjourned to a date to be fixed and can be held before any Employment Judge.

REASONS

Background to this hearing

1. Ms Fung did not attend. Mr Gunnion of Croner represented the Respondents.
2. The original purpose of the hearing was to determine whether Ms Fung had sufficient continuity of service having regard to the provisions of Section 108 subsection 1 of the Employment Rights Act 1996 to bring a claim of unfair dismissal.
3. However on 9 September Ms Fung wrote to the Tribunal in the following terms:

“Hi I have had a phone call from a solicitor from The Real Macaw and they explained that the case is just for unfair dismissal and there no disability dispute on there. As I feel they got rid of me because I was on the sick can someone get in contact with me please.”

4. By a letter of 10 September Judge Jeram ordered that the matter be discussed at the Preliminary Hearing which was supposed to proceed today.

5. When Ms Fung did not appear at the appropriate time on the remote hearing I caused her to be telephoned. She explained that she had attended the Nottingham Tribunal Centre in person (though there is no evidence of her having signed into the building). There was thus no alternative but to adjourn.

Employment Judge Blackwell

Date: 25 September 2020

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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