



EMPLOYMENT TRIBUNALS

Claimant: Mr M Lang

Respondent: Construction Labour Supply

Heard at: East London Hearing Centre **On:** 12 April 2021

Before: Employment Judge Housego

Representation

Claimant: Did not attend, was not represented and sent no submissions

Respondent: Samuel Collins

JUDGMENT

1. The Claim is struck out.

REASONS

1. The claim was listed for a preliminary hearing today. The Claimant did not attend, was not represented and had not sent any submissions.
2. The Respondent is an agency which supplies construction workers, which it employs, to its clients.
3. A claim for unfair dismissal was struck out by a judgment dated 13 January 2021, sent to the parties on 22 March 2021, because the claimant had not two years' service (it was only 2 days).
4. The claimant was dismissed as his work was not considered adequate. When he left site he took with him an industrial thermometer (his claim form admits this). He also sent highly abusive and insulting text messages which mainly consisted of foul language. After denying he had done so, he was told he was seen on cctv doing it. He returned the instrument the following

day, but the client had to purchase another in the meantime. The cost exceeded any money he might have been due.

5. He claims his wages for the 2 days when he was on site.
6. However, since receiving the response form the claimant has taken no action in respect of his claim, and in particular did not attend today's telephone hearing.
7. I decided to strike out the claim under Rule 37(1)(d), as it is not being actively pursued.

Employment Judge Housego
Date: 12 April 2021