



Case Number: 3327800/2019

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EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Mr P Bayliss

and

Respondent

Rainfast Limited

Held by CVP on 20 APRIL 2021

Representation

Claimant:

No appearance or
representation

Respondent:

Mr A Coyle, Director

Employment Judge Kurrein

Statement on behalf of the Senior President of Tribunals

This has been a remote hearing that has not objected to by the parties. A face to face hearing was not held because it was not practicable and all issues could be determined in a CVP hearing.

JUDGMENT

The Claimant's claims are not well founded and are dismissed

REASONS

- 1 This was intended to be the full merits hearing of the claim.
- 2 The Claimant failed to attend the hearing and had not made contact with the Tribunal before the hearing started.
- 3 This was the third time on which this case had been listed for a full merits hearing. In advance of the hearing I had read all the papers and carried out a detailed analysis of the financial documentation.
- 4 I took the view it was in the interests of justice to proceed in the absence of the Claimant.
- 5 I heard and accepted the evidence of Mr A Coyle, Director, and Mr T Blair, Office Manager. I accepted that evidence. It was clear from the payslips and documents that the Claimant had been paid more than he was entitled to, partly

- because he had received subs that had not been recovered, and these overpayments exceeded any unauthorised deductions, for instance for training costs, that might have been made. He had also received at least 12 days holiday pay, slightly more than he was entitled to for his length of service.
- 6 The onus was on the Claimant to prove his case. He has failed to do so. The Respondent has established to my satisfaction that it does not owe the Claimant any money.

Employment Judge Kurrein

20 April 2021

Sent to the parties and
entered in the Register on 17: 5 :21
THY

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For the Tribunal

Public access to employment tribunal decisions Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.