



EMPLOYMENT TRIBUNALS

Claimant: Mr McCabe Jones

Respondent: JD Sports Fashion PLC

Heard at: Cardiff via video platform **On:** 30 June 2021

Before: Employment Judge Ward

JUDGMENT

The claim is dismissed

REASONS

1. The claimant failed to attend the preliminary hearing on Wednesday 30 June 2021.
2. Upon enquiries that were made at the commencement of the hearing, the claimants email of 28 June was considered explaining that their absence was due to being unable to take time off work.
3. In circumstances where the claim has been presented out of time with the onus on the claimant to prove why the claim was not presented on 27 May 2020, the hearing could not proceed in the absence of the claimant.
4. The notice of hearing had been sent to the parties well in advance of today's hearing on 7 January 2021, the claimant was ordered to provide a witness statement 7 days before the hearing, (in a letter from the Tribunal dated 6 November), and has not done so, in the circumstances although mindful that it can be difficult to obtain leave from work it is still fair and just to dismiss this claim.

Employment Judge
Dated: 30 June 2021

JUDGMENT SENT TO THE PARTIES ON 1 July 2021

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FOR THE SECRETARY OF EMPLOYMENT TRIBUNALS
Mr N Roche

NOTE:

This is a written record of the Tribunal's decision. Reasons for this decision were given orally at the hearing. Written reasons are not provided unless (a) a party asks for them at the hearing itself or (b) a party makes a written request for them within 14 days of the date on which this written record is sent to the parties. This information is provided in compliance with Rule 62(3) of the Tribunal's Rules of Procedure 2013.