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EMPLOYMENT TRIBUNALS

Claimant: Mr J Devonshire
Respondent: Nationwide Accident Repairs Limited (in administration)
Heard at: East London Hearing Centre (by telephone)
On: 8 July 2021
Before: Employment Judge Gardiner

Representation

Claimant: No attendance
Respondent: No attendance

JUDGMENT

The judgment of the Tribunal is that:-

The Claimant's claim is dismissed. The Claimant has failed to attend the Final Hearing, without providing any reason for his non-attendance. It appears that the Claimant is not actively pursuing the claim.

REASONS

1 The Claimant has brought a claim against his former employers, who are in administration. As a result, the proceedings were initially stayed. The administrators have consented to the lifting of the stay only in relation to the claim for a protective award in relation to the alleged failure to inform and consult about collective redundancies.

2 The Final Hearing was originally listed to take place on 25 May 2021 by Cloud Video Platform. Neither party attended on that occasion at a hearing conducted by Employment Judge Green. The Judge relisted the case for 8 July 2021 and directed that any documents in support of the claim should be provided by the Claimant by 1 July 2021.

3 On the morning of the hearing, but over 90 minutes after the scheduled start time, the Claimant emailed to say he had a weak broadband connection which had prevented him from joining. As a result, on 21 June 2021, Employment Judge Russell converted the hearing on 8 July 2021 to a telephone hearing. She directed that any documents should be sent to the Tribunal by the Claimant by 6 July 2021. That revised deadline was not met and the Claimant did not seek any extension.

4 This morning, the Claimant has failed to attend the hearing. He has not applied in advance of the hearing for a postponement on the basis that there is a reason why he is unable to attend the telephone hearing. The Tribunal telephoned the mobile number given by the Claimant to be told by a recorded message that the number was unavailable. The last communication from the Claimant was a brief email on 25 May 2021. There is no documentary evidence in support of the claim.

5 In the circumstances, the Claimant has been given every opportunity to advance his case or to explain why this cannot be done. As there is no evidence provided by the Claimant in support of his claim at this Final Hearing, the protective award claim will be dismissed.

Employment Judge Gardiner

8 July 2021