



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs Maha Adam

**Respondent:** Elite Careplus Limited

## JUDGMENT

1. The claimant's application dated the 13<sup>th</sup> August 2021 for reconsideration of the judgment dated the 15<sup>th</sup> July 2021 is refused.

## REASONS

2. This case was listed for a final hearing on the 15<sup>th</sup> July 2021, via CVP, at 2pm.
3. The respondent attended that hearing. By 2.10pm, the claimant had not attended.
4. The Clerk to the tribunal confirmed that the notice of hearing had been sent to the claimant on the 2<sup>nd</sup> September 2020 and that instructions as to how to join the CVP hearing had also been sent on the 14<sup>th</sup> July 2021. Additionally, I asked that the Clerk telephone the claimant on the number that the tribunal had for her. I was told that there was no response.
5. Applying rule 47 of the Employment Tribunal Rules I decided to proceed with the hearing in the absence of the claimant for the following reasons. The claim was old having been lodged on the 23<sup>rd</sup> July 2020. The notice of hearing and joining instructions had been sent to the claimant and there was no reply to a telephone call to the claimant.
6. Having proceeded with the hearing, I then dismissed the claim/s for the reasons set out in my judgment dated the 15<sup>th</sup> July 2021.
7. On the 18<sup>th</sup> July 2021, a person citing this case number, giving the name of Francois Asim Kamal, emailed the tribunal apologising for not attending the hearing. I assume that person is the claimant. They stated that the reason that they did not attend was because they had confused the date.

8. On the 13<sup>th</sup> August 2021, the same person again wrote to the tribunal, citing this case number and described themselves as a “Reprentative”. They again apologised and stated that they would like to appeal my decision. They stated again that they were confused about the date and time but acknowledged that they had received the notice of hearing some time ago. Again, I assume that person is the claimant.
9. I have therefore treated the correspondence dated the 13<sup>th</sup> August 2021 as an application under rule 70 of the Employment Tribunal Rules for a reconsideration of my decision.
10. I refuse this application under rule 72(1) of the Employment Tribunal Rules as there is no reasonable prospect of the original decision being varied or revoked. This is because the claimant did not attend the hearing, despite acknowledging that she had received the notification of hearing and joining instructions. Additionally, as set out in my judgment dated the 15<sup>th</sup> July 2021, it was impossible to discern from the ET1 what the claim/s were.

Employment Judge **Apted.**

Date: 8<sup>th</sup> September 2021.