



EMPLOYMENT TRIBUNALS

Claimant: Mr Gaydu

Respondent: Independent Living Alternatives

Heard at: Watford (in public by video) On: 25th October 2021

Before: Employment Judge Howden-Evans

Representation

Claimant: No attendance

Respondent: In person, by Ms Jannaway and Mr Kashmiri

JUDGMENT

The Claimant's claims for a statutory redundancy payment and for notice pay are not well founded and are dismissed. These proceedings are dismissed.

Reasons

1. This 1 day final hearing by video was listed to determine this case. The Claimant has not attended today's hearing. Rule 47 Employment Tribunal Rules of Procedure 2013 explains that if a party has not attended (or been represented at) a hearing I may dismiss the claim or proceed in the absence of that party. I have considered the documents that are available to me, and the clerk has checked for any communications from the Claimant; there has been no correspondence from the Claimant.
2. Ms Jannaway and Mr Kashmiri have undertaken a lot of preparation for today's hearing. They have complied with the case management directions and have provided a file of documents and a number of witness statements. I understand the Claimant has not complied with the case management directions – he has not provided any documents or witness statements to the respondent or the tribunal.
3. I have decided to continue this hearing in the absence of the Claimant. Having considered the documents, I note the Claimant appears to be trying to seek a statutory redundancy payment and notice payment. There appears to be two fundamental flaws to these claims:

- a. the Claimant appears to have resigned from his position with the Respondent – a person is only entitled to notice pay and/or a redundancy payment if they have been dismissed by their employer; and
 - b. the Claimant was not an employee of the Respondent – only an employee is eligible to claim a statutory redundancy payment and/or a payment if they have not been provided statutory minimum notice of the termination of their employment.
4. If the Claimant wishes to apply for me to reconsider this decision, he should write to the Respondent and Tribunal within 14 days of this Judgment being sent to him, explaining:
- a. Why they have not complied with the case management directions;
 - b. Why they did not attend today's hearing; and
 - c. Why it is in the interests of justice for me to reconsider this judgment?

Employment Judge Howden-Evans
Dated: 25th October 2021

JUDGMENT SENT TO THE PARTIES ON

.....9th November 2021

.....GDJ.....
FOR THE TRIBUNAL OFFICE

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