



EMPLOYMENT TRIBUNALS

Claimant

Mr N Bascoe-Thompson

v

Respondent

Isik Limited

Heard at: Watford
Before: Employment Judge Smeaton

On: 21 October 2021

Appearances

For the Claimant: Did not attend
For the Respondent: Ms Y Isik (Manager)

JUDGMENT

1. The claim for unpaid holiday pay is dismissed.

REASONS

1. The claimant lodged a claim for unpaid holiday pay on 5 January 2021, which the respondent defended. The hearing was listed to take place on 21 October 2021.
2. An amended notice of hearing, informing the parties that the hearing would take place via CVP, was sent out on 20 October 2021. The amended notice of hearing was emailed to the claimant using the email address he had provided to the Tribunal for the purpose of communication.
3. On 20 November 2021, the Tribunal telephoned the claimant on the number he had provided to the Tribunal, in order to confirm his attendance. There was no answer and a voicemail was left. A further telephone call was made on the morning of the hearing but, again, unanswered.
4. The hearing was due to commence at 2pm. Mrs Isik attended on behalf of the respondent. The claimant did not attend. The Tribunal attempted to call him again but to no avail. The clerk checked whether the claimant was in the Tribunal building (in case he had not received the amended notice of hearing). He had not attended in person either. An email was also sent to the claimant and was unanswered.

5. I am satisfied that the claimant had adequate notice of the hearing. No reasons were given for his non-attendance and all practicable enquiries had been taken to identify the reason for his non-attendance.
6. Neither party produced any documents in support of the claim or the defence. No witness statements were served and the claimant's contract was not before the Tribunal. On that basis, I did not feel able to proceed to hear the claim substantively in the claimant's absence.
7. The claimant having still failed to attend more than 30 minutes after the hearing was due to start, I proceeded to dismiss the claim under rule 47 of the Employment Tribunals Rules of Procedure 2013.

Employment Judge Smeaton

Date: 21 October 2021

Sent to the parties on:9.11.2021...

.....GDJ.....
For the Tribunal Office