



# EMPLOYMENT TRIBUNALS

**Claimant****Respondent**

Mr K Hurry

v

Prime Steak and Grill Limited

**Heard at:** Watford

**On:** 19 October 2021

**Before:** Employment Judge Bloom

**Appearances**

**For the Claimant:** Did not attend and was not represented

**For the Respondent:** Mrs T Matthews, Director

## JUDGMENT on PRELIMINARY HEARING

The Open Preliminary Hearing is adjourned on a date to be fixed to take place at the Watford Employment Tribunal. The parties shall be required to attend that Hearing. The Preliminary Hearing will not be conducted using the Cloud Video Platform (CVP).

## REASONS

1. The Claimant presented Claims for Unfair Dismissal and Disability Discrimination against the Respondent. The Claimant had insufficient length of service to enable the Unfair Dismissal claim to proceed. On 26 March 2021 that claim was struck out. The Tribunal ordered that an Open Preliminary Hearing should take place to determine whether or not the Disability Discrimination claim should be struck out or, in the alternative, whether the Claimant should be ordered to pay a deposit as a condition of continuing with that claim. The Open Preliminary Hearing was listed to take place using CVP.
2. Shortly before 9:00am on the day of the Preliminary Hearing, the Claimant sent an email to the Employment Tribunal. He stated that he did not have a webcam on his computer or on his phone and was therefore unable to participate in the Hearing. As a consequence he requested the Preliminary Hearing be rescheduled. I discussed this with Mrs Matthews.

3. There was no alternative in all the circumstances other than to postpone the Preliminary Hearing. As a result of the Claimant's difficulties in conducting a CVP Hearing, I have determined that the adjourned Preliminary Hearing shall take place by requiring the parties to attend in person at the Watford Employment Tribunal. A further date will be allocated for that purpose in due course.

21 October 2021

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Employment Judge Bloom

Sent to the parties on: 01/11/2021

For the Tribunal Office