



## EMPLOYMENT TRIBUNALS

**Claimant: Andreea Calcea**

**Respondent: Ginseng Ltd**

**Heard at: London Central (remote public hearing via CVP videolink)**

**On: 7<sup>th</sup> January 2021**

**Before: Tribunal Judge Plowright acting as an Employment Judge**

### Representation

**For the Claimant: Does not appear and is not represented**

**For the Respondent: Li Hua Li, Director of the Respondent Company**

## JUDGMENT

The Judgment of the Tribunal is that:

1. The claim is dismissed pursuant to rule 47 of the Procedure Rules 2013.

## REASONS

1. This is a claim for unauthorized deduction of wages which was listed to be heard today at 10am. The claimant did not attend and she was not represented. The tribunal staff telephoned her today at 10:15am but there was no reply. A further call was made at 10:30am but there was again no reply. A message was however left informing the claimant of the hearing today. At 11:00 am a further call was made but there was no reply. An email was then sent to the claimant at 11:02am reminding her of the hearing today. Attached to the email were the joining instructions for the CVP hearing which had been emailed to all parties on

the 6<sup>th</sup> January 2022. There was no response from the appellant by 11:30am and so I decided to proceed with the hearing.

2. Neither the Tribunal nor the respondent company have had any contact from the claimant since the ET1 was issued on the 31<sup>st</sup> August 2021. A Notice of Hearing was originally sent to the claimant and the respondent on the 30<sup>th</sup> September 2021 and I have no reason to believe that that the Notice of Hearing of the 30<sup>th</sup> September 2021 did not reach the claimant. Although that notice incorrectly indicated that the case would be heard on the 7<sup>th</sup> January 2021, it must have been obvious to all parties that this was a reference to the 7<sup>th</sup> January 2022. In any event, there was no query from the claimant in respect of this. A further amended notice of hearing was sent to the parties on the 5<sup>th</sup> January 2022 with the correct date of the 7<sup>th</sup> January 2022. Instructions on how to join the CVP hearing were then emailed to the claimant on the 6<sup>th</sup> January 2022. No explanation was provided by the claimant for her non-attendance at today's hearing.
3. It appears that the claimant has decided not to pursue this claim. Rule 47 permits me to dismiss the claim in the absence of the claimant at a hearing and I consider that to be the just course to take.
4. The claimant emailed the Tribunal at 13:39 to say that she was unable to attend the hearing but the hearing had already concluded by that time.

DATE: 07/01/22

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**Tribunal Judge Plowright acting as an Employment Judge**

Sent to the parties on:

10/01/2022.

For the Tribunal: