



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr A Bolton

**Respondent:** (1) Nationwide Crash Repair Centres Ltd (in administration)  
(2) Secretary of State for Business, Energy and Industrial Strategy

**Heard at:** Manchester Employment Tribunal (by CVP)

**On:** 11 January 2021

**Before:** Employment Judge Dunlop

## Representation

**Claimant:** Did not attend

**Respondents:** Did not attend

# JUDGMENT

1. The claimant's claims are dismissed under Rule 47 of the Employment Tribunal rules of Procedure 2013.

# REASONS

1. Mr Bolton has brought a claim for a protective award following his redundancy from the first respondent. By letter dated 6 November 2021 the Tribunal wrote to the Mr Bolton asking him to confirm if he wished to continue to pursue this claim in circumstances where it appeared he had been employed at an establishment (Scarborough) which employed fewer than 20 people. Due to those numbers, it appeared that Mr Bolton may not qualify for a protective award under s.189 Trade Union Labour Relations (Consolidation) Act 1992.

2. Mr Bolton did not immediately respond to this letter, and, on 17 November 2021, the Tribunal wrote to him again, proposing to strike out the claim on the basis that it was not being actively pursued.
3. On 21 November 2021, Mr Bolton wrote to the Tribunal, copying the respondents and stating that his earlier estimate that there were 15 people working at the Scarborough site may have been incorrect as he had only worked there a short time, and had been on furlough in the period leading up to his redundancy.
4. On 22 November 2021, the first respondent's administrators wrote to the Tribunal, copying the claimant, stating that company records showed 11 employees (including Mr Bolton) associated with the Scarborough branch.
5. In the circumstances, this hearing was listed to determine Mr Bolton's claim for a protective award. However, Mr Bolton did not attend. He was not contactable by phone this afternoon, nor had he contacted the Tribunal to request a postponement or indicate any difficulty with attending.
6. Rule 47 of the Employment Tribunal rules of Procedure 2013 provides that a claim may be dismissed if a party fails to attend a hearing. I consider it appropriate to dismiss this claim in the circumstances outlined above.

Employment Judge Dunlop

Date: 11 January 2022

SENT TO THE PARTIES ON  
19 January 2021

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FOR EMPLOYMENT TRIBUNALS

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