



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr T Potolinca  
**Respondent:** Unique Employment Services Ltd  
**Heard at:** Watford Employment Tribunal (in public; by video)  
**On:** 11 February 2022  
**Before:** Employment Judge Quill (Sitting Alone)

## Appearances

For the Claimant: No Appearance or Representation  
For the respondent: Ms S-J Wood, litigation executive

## JUDGMENT

1. The claim is dismissed.

## REASONS

2. Rule 47 states:

### 47. Non-attendance

If a party fails to attend or to be represented at the hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of that party. Before doing so, it shall consider any information which is available to it, after any enquiries that may be practicable, about the reasons for the party's absence.

3. The Claimant did not attend and all practicable enquiries were made, without success. A clerk attempted to phone the number on form ET1 but it did not appear to be in service. An email was sent telling him the hearing was starting, but there was no reply.
4. I had a brief discussion with the Respondent's representative at 2pm, who informed me that her client had had no contact from the Claimant since he submitted his claim (in fact, since his employment ended). I adjourned until 2.15pm to allow the Claimant a further opportunity to join, or to respond to the email. At 2.15pm, the hearing resumed and the Claimant was still not present. (I had monitored the video lobby during the adjournment, and he had not logged in during the break.)
5. The email address in the ET1 was correct, because the Claimant had written to tribunal from that address on 12 November 2020. The Respondent's

representative had used that address to contact him for this hearing by sending bundle and statements. She had no response at all, and the Claimant did not comply with the orders for him to submit documents or statements or anything else for this hearing. The Respondent was ready to proceed and its witnesses attended the hearing.

6. The Respondent's representative invited me to dismiss, and I do so. I am satisfied that the Claimant has been aware of this hearing since the notice was sent out in August, and, in any event, has been reminded of it by the Respondent's representative's contact with him. (A copy of notice of hearing is in the bundle which the Respondent prepared and submitted to the Claimant.)
7. A postponement is not appropriate as there is no reason to think that the Claimant would attend the resumed hearing. In any event, that would not be fair to the Respondent who was ready and able to proceed today. I was not invited to conduct the hearing in the Claimant's absence, and dismissal is in appropriate in the circumstances.

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**Employment Judge Quill**

Date: 11 February 2022

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE

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