



EMPLOYMENT TRIBUNALS

Claimant: Mr G. Appleford
Respondent: House & Co Property Limited

Heard at: Bristol by VHS **On:** 1 April 2022
Before: Employment Judge S Matthews

Representation
Claimant: No attendance
Respondent: Peter House (Director)

JUDGMENT

1. The claimant's claim for unauthorised deduction from wages by failing to pay the claimant in lieu of accrued but untaken annual leave on termination of employment is DISMISSED.

REASONS

2. The claimant did not attend. The tribunal had sent the claimant an email with joining instructions for the hearing the day before the hearing. The clerk telephoned the claimant twice on the afternoon of the hearing but there was no response. I waited until 14.30 before starting the hearing. The tribunal had no information before it about the reasons for the claimant's absence.
3. I took into account that there was a dispute about whether the holiday had been taken by the claimant during the relevant period and that the claimant had not provided any written submissions or filed any evidence in response to the Respondent's assertions in the response.

4. Given the lack of communication from the claimant and the lack of any potential explanation for his failure to attend and having considered the overriding objective and the provisions of rule 47 of the Employment Tribunals Rules of Procedure 2013 (as amended) I decided that it was in the interests of justice to dismiss the claim.

Employment Judge S Matthews

Date: 1 April 2022

Judgment sent to parties: 19 April 2022

FOR THE TRIBUNAL OFFICE