



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr I Conteh

v

Total Security Services Limited

Heard at: London Central (by video)

On: 14 April 2022

Before: Employment Judge E Burns

Representation

For the Claimant: Did not attend

For the Respondent: Mr K Chehal, Consultant

JUDGMENT

The claim is struck out.

REASONS

- (1) The claimant is employed by the respondent as a Security Guard. By a claim form presented on 7 February 2022, following a period of early conciliation from 18 to 26 January 2022, the claimant brought a claim for unpaid wages. The claim form did not explain when the wages had been due or how much was being claimed.
- (2) When the respondent presented its response to the claim it requested further details of the claim.
- (3) The claimant sent an email to the tribunal on 29 March 2022 giving more precise details of his claim. He did not copy this to the respondent.
- (4) The respondent applied for a postponement of the hearing. The tribunal wrote to the claimant by email on 1 April 2022 asking for his comments on the application. The claimant failed to reply.
- (5) On 11 April 2022, the tribunal wrote to the claimant by email chasing a response to its earlier letter. The claimant was warned that if he did not reply, he risked his claim being struck out. He did not reply.
- (6) On the same date, 11 April 2022, the respondent applied to have the claimant's claim struck out because of his failure to actively pursue it. The

respondent listed a number of occasions when it has written to the claimant and not received a response.

- (7) On 13 April 2022, the tribunal wrote to the claimant by email to send him joining instructions for the hearing and to tell him that the respondent's application would be considered at the hearing.
- (8) The claimant failed to attend today's hearing.
- (9) Taking into account all of the claimant's failures to respond to the correspondence from the tribunal and from the respondent and his lack of attendance at today's hearing, I have granted the respondent's application to strike out the claimant's claim under rule 37(1)(d) on the ground that it has not been actively pursued.
- (10) If there is a good reason why the claimant has not responded to emails or which explains why he did not attend the hearing, he may apply for this judgment to be revoked under Rule 70 of the tribunal rules. The deadline for doing so is within 14 days of the date of this judgment is sent to the parties.

Employment Judge E Burns
19 April 2022

JUDGMENT SENT TO THE PARTIES ON
20/04/2022

FOR THE TRIBUNAL OFFICE