



## EMPLOYMENT TRIBUNALS

**Claimant**  
Mr M Stefan

**Respondent**  
Xandor Automotive Pickering Ltd

**Heard at:** Leeds **On: 24 May 2022**  
**Before:** Employment Judge Davies  
Mr T Downes  
Mr L Priestley

**Appearances**  
**For the Claimant:** Did not attend  
**For the Respondent:** Mr Rudd (counsel)

## JUDGMENT

1. The Claimant did not attend the hearing and pursuant to Employment Tribunal Rule 47 his claim is dismissed.

## REASONS

The Claimant did not attend the hearing. He had not produced a witness statement, in breach of Tribunal orders. The burden of proof in the automatically unfair dismissal complaint was on him. In the detriment and discrimination complaints, he had the initial burden of proving facts from which inferences could be drawn. He had not contacted the Tribunal to say that he was unable to attend. The Tribunal tried to call him but his phone number was not recognised. The Tribunal considered that it was consistent with the overriding objective to dismiss his claim in those circumstances.

Employment Judge Davies

24 May 2022