



Case No. 1406574/2020

EMPLOYMENT TRIBUNALS

Claimants: Mr C Thick

Respondent: Hillier Recycling Limited t/a Quickskips

RECORD OF A HEARING

Heard at: Southampton (In Person) **On:** 7 July 2022

Before: Employment Judge Self (Sitting alone)

Appearances

For the Claimant: No Attendance

For Respondent: No Attendance

JUDGMENT

1. Unless the Claimant before **4 pm on 15 July 2022:**
 - a) Writes to the Tribunal and the Respondent and confirms that he wishes to actively pursue his claim and
 - b) Provides to the Tribunal and the Respondent a Schedule of loss, a Disability Impact Statement and relevant medical records as ordered by REJ Pirani at paragraphs 8, 9, 11 and 12 of the order sent to the parties on 4 April 2022 following a hearing on 28 March 2022.

the Claimant's claim under the Equality Act 2010 for Disability Discrimination will be dismissed without further order.

WRITTEN REASONS

1. This matter has had a chequered history which has delayed its resolution. The only remaining claim is one of disability discrimination and the issues were clarified by REJ Pirani at a Telephone Hearing on 28 March 2022. He listed the matter for an Open Preliminary Hearing in person today to consider

whether the claim should be struck out or whether a deposit order should be made.

2. At that hearing REJ Pirani also ordered a schedule of loss, the disclosure of medical records and the production of a Disability Impact Statement. Those directions have not been complied with by the Claimant and indeed I am unable to locate any evidence of the Claimant contacting the Tribunal at any time since that Order was made. The Claimant is in default of the orders and is also failing, at this point, to actively pursue his claim.
3. This matter was erroneously listed in Bristol and the parties were informed yesterday that it was to be switched to Southampton. Taking into account the parties addresses which are all just outside Bournemouth it would be far easier to get to Southampton.
4. There has been no attendance from either party today. This is the second time that has happened as neither party appeared at a Telephone Hearing that was scheduled for 27 July 2021 before EJ Gray.
5. The Tribunal clerk has sought to make contact with both parties but has received no response. She has also checked with Bristol on the off chance that either party has attended there but the parties have not been located there.
6. In all the circumstances I can see no reason for the non-attendance of the parties today. I have not heard from the Respondent today in furtherance of striking the claims out and in respect of deposit orders but it would appear that the Claimant's non-attendance is a continuation of his lack of engagement and failure to pursue his claim with any diligence.
7. In all the circumstances I have made an unless order which firmly places the onus upon the Claimant to do something in order to keep his claim alive. Had the Respondent attended today it is possible that having heard from them the outcome may have been different but I consider that an unless order is a proportionate course in all the circumstances.

Date: 07 July 2022

Sent to the parties on:
11 July 2022
By Mr J McCormick

For the Tribunal Office