



EMPLOYMENT TRIBUNALS

Claimant: Mr Joaquim Rivera

Respondent: Capital Staffing Services Limited

Heard at: London South, by CVP

On: 6th June 2022

Before: Employment Judge Reed

Representation:

Claimant: Did not attend

Respondent: Ms Germain, Solicitor

JUDGMENT

1. The claim is dismissed upon non-attendance of the Claimant, pursuant to Rule 47 of the Employment Tribunals Rules of Procedure 2013.
2. Today's hearing was due to start at 10am. The Claimant did not attend at this time. At 10.20am the hearing proceeded in his absence. The hearing lasted until approximately 10.45 and the Claimant did not arrive during that time.
3. The Tribunal clerk called the Claimant twice, first at 10am and then at 10.15am. Both calls rang out with no answer. No application for a postponement or explanation for non-attendance had been given in advance.
4. Before deciding to dismiss the claim, the Tribunal considered the Claimant's general conduct of the claim. In particular, the Tribunal noted that:
 - a. The Claimant had not attended the earlier preliminary hearing on 1st February 2022.
 - b. He had, however, made an application to postpone that hearing, which was evidence both that communications from the Tribunal was reaching the Claimant and that he was aware it was necessary to communicate any difficulty with attending a hearing to the Tribunal.
 - c. The Claimant had not complied with the case management orders made by the Tribunal in its order dated 8th March 2022.
 - d. The Claimant had not made contact with either the Tribunal or the Respondent since 31st January 2022.

Employment Judge Reed
Date 21st June 2022

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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