



# EMPLOYMENT TRIBUNALS PRELIMINARY HEARING

Claimant

Respondents

v

Mr A Hossain

Ms Niamh Day (1)

Frontier Inns Limited trading as  
Canal Club (2)

Mario Zak (3)

Jade Renner (4)

**Heard: At Leeds by Telephone**

**On: 26 July 2022**

**Before: Employment Judge JM Wade**

**Appearance:**

**For the Claimant: No attendance**

**For the Respondent: Ms N Day (assistant general manager)**

## JUDGMENT

- 1 The first and third respondents' names are amended as they appear above.
- 2 The first, third and fourth respondents are removed as respondents to the claim.
- 3 The claims against the second respondent are dismissed pursuant to Rule 47 upon the claimant's failure to attend or be represented at today's preliminary hearing.
- 4 The address for service on the second respondent is amended to its registered office: 2 Infirmary Street, Leeds, LS1 2JP

## REASONS

- 1 The claimant presented a claim of unfair dismissal, age discrimination and unpaid wages to this Tribunal on 10 February 2022. He gave employment dates of less than four weeks in December 2021. There has been no contact on the file from the claimant since that time. An earlier case management

hearing in April had to be adjourned for lack of judicial resources.

- 2 Today Ms Day attended by telephone. She explained that she had received “the first letter” but that the general manager (the third respondent) had left the Club in February and she now reported to a team at “head office” who reported to Mr Towell of Frontier Inns Limited. She tells me that Frontier Inns pay those who work at the Canal Club, which is a bar also serving food by the canal in Leeds.
- 3 She also tells me the Club opened in December 2021 and that she believed this was the claimant’s first job. There were some issues with a clocking on system, but that she believed that all pay due to him was paid in the pay roll run after the “first letter”.
- 4 She tells me that Ms Jenner’s company may be the leaseholder for the Club premises, but was not the employer. There are no response forms from any of the respondents, despite them having been posted to the operating premises, but an Employment Judge had directed that this claim was not appropriate for a Rule 21 Judgment.
- 5 I asked our clerk today to make enquiries of the claimant, but her call went through to his voicemail. The fact that the claimant did not attend may reflect that something untoward has happened to him. I very much hope not. More likely is that he has abandoned his claim and is getting on with his life, because that is the overarching impression on the file.
- 6 In all the circumstances I consider it is fair to dismiss his claim today. If that is wrong, there is the possibility of an application for reconsideration of this judgment. Any such application must set out reasons for failure to attend today.

Employment Judge JM Wade

Dated: 26 July 2022