



## EMPLOYMENT TRIBUNALS

**Claimant:** Miss Magdalena Bartnicki  
**Respondent:** Rujia Marketing Consultants Limited  
**Heard at:** Birmingham by Cloud Video Platform  
**On:** 28<sup>th</sup> February 2023  
**Before:** Employment Judge L Knowles (Sitting Alone)  
**Representation:**  
Claimant: Miss Bartnicki  
Respondents: Non attendance

### JUDGMENT

1. The Tribunal determined to hear the case in the absence of the respondent.
2. Rule 47 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 provides:  
**“Non-attendance**  
  
**47.** If a party fails to attend or to be represented at the hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of that party. Before doing so, it shall consider any information which is available to it, after any enquiries that may be practicable, about the reasons for the party’s absence.”
3. The respondent failed to attend the scheduled Final Hearing today, having been properly notified in advance by a notice of hearing on 10 August 2023 and the joining details sent on 10 February 2023. The notice was sent by post to the address for the respondent on the ET3 form. The joining details were sent via email to the address included in the ET3 form and in line with the respondents stated preferred method of communication.
4. The Tribunal clerk has called the mobile telephone number given by the respondent in the ET3 form. The mobile was unanswered and gave the notification that the number was not accepting calls. The hearing was delayed for 15 minutes to enable the respondent time to join.
5. Having considered all of the information available to the tribunal, I exercised my power under Rule 47 to proceed with the hearing in the absence of the respondent.

6. The Tribunal considered the ET1, ET3, and wage slips. The respondent had not sent in any documents or statements to be considered by the Tribunal. The claimant gave evidence under oath. The claimant's daughter, Martina Dagil, interpreted as necessary my questions to the claimant.
7. The claimant's claim of unlawful deductions is well founded and she is awarded £1,205.34 being the net sum due.
8. The claimant's complaint of breach of contract, wrongful dismissal, for the respondent ending the claimant's contract of employment with immediate effect is well founded and she is awarded £630 being the gross sum due for 1 week's pay.
9. The claimant's complaint for failure to be provided a written statement of employment particulars is well founded and she is awarded £1,260.
10. The respondent is accordingly ordered to pay the claimant the total sum of £3,095.34 (£1,205.34 + £630 + £1,260).

**Employment Judge L Knowles**

Signed electronically

28/02/2023

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. Parties must be aware that if written reasons are requested a detailed judgment will be issued which will be on the Tribunals' website to which members of the public have access.

**Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.