



EMPLOYMENT TRIBUNALS

Claimant: Miss Carla Vecci

Respondent: Ms Sarah Hesz

Heard at: London South **On:** 2 March 2023

Before: Employment Judge B Smith (sitting alone)

Representation

Claimant: Did not attend

Respondent: Did not attend

JUDGMENT

1. The claim for notice pay is dismissed.

REASONS

2. On 13 September 2022 the claim was listed for a final hearing. It was unable to proceed on that day and was relisted to be heard on 2 March 2023 for a full day to start at 10am by video link. The claimant applied by email dated 16 November 2022 for the hearing to be changed to an in person hearing because she would not have access to a computer. The application was granted. On 8 December 2022 Employment Judge Tsamados directed that the hearing on 2 March 2023 be converted to an in-person hearing. The letter did not specify a start time but the start time of 10am was indicated on the Case Management Order of Employment Judge Dyal dated 13 September 2022 and sent to the parties on 16 September 2022. The letter to the parties indicating that the hearing would be heard in person was on headed notepaper from the Employment Tribunals at Montague Court, West Croydon. On 8 December 2022 the respondent wrote to the Tribunal stating that she would be unable to attend the hearing because of work and childcare.
3. At 22:36 on 1 March 2023 the claimant emailed the Tribunal asking for confirmation of where the hearing would take place, requesting the full address and time.

4. Neither the claimant nor respondent attended the hearing. The claimant was telephoned by the Tribunal and she reported that she wasn't sure where the hearing would take place and was feeling unwell. She was asked to email the Tribunal explaining why she did not attend. At 14:05 Ms Vecci emailed the Tribunal apologising for not attending, stating that she had been unwell, referring to ongoing conditions, and asking for the hearing be rescheduled.
5. I have decided that the claimant was aware of the date and time of the hearing. This is because the date and time of the hearing was included in the Case Management Order of 13 September 2022. I am also satisfied that if the claimant was unsure as to the hearing location she could and should have asked requested this information from the Tribunal before 22:36 on evening before the hearing was due to take place. It can also be inferred from the letter dated 8 December 2022 that the Employment Tribunals were at Montague Court, 101 London Road, London CR0 2RF.
6. I also have decided that matters relating to the claimant's health did not amount to a good reason for her not attending the hearing. This is because I consider that the claimant's references to being unwell are generic in nature and it appears her conditions are ongoing. She did not apply for the hearing to be adjourned when she contacted the Tribunal the night before the hearing for reasons of health.
7. I am satisfied that the claimant failed to attend or be represented at the hearing without a sufficiently good reason and have considered the available information about the reasons for the claimant's absence. I dismiss the claim under rule 47 of the Employment Tribunals Rules of Procedure 2013.

Employment Judge Barry Smith
6 March 2023