



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss A Tsiliepi

**Respondent:** GTA Food Services Ltd

**Before:** Employment Judge Frazer

**Representation**

Claimant: Mr V P Dickson (Representative)

Respondent: Not participating in the proceedings

## JUDGMENT

The Claimant's application for a Preparation Time Order is dismissed.

## REASONS

1. I entered a default judgment against the Respondent on 16<sup>th</sup> March 2023 for £212 as no response had been received by the Tribunal. The Claimant issued a claim for unauthorised deductions from wages on 12<sup>th</sup> January 2023.
2. On 19<sup>th</sup> April 2023 the Claimant applied for a preparation time order under Rule 76 of the Employment Tribunals Rules of Procedure 2013 on the basis that the claim had no reasonable prospect of success and the Respondent had acted unreasonably, disruptively and in contravention of the Tribunal's orders. The Claimant submitted that from the outset there had been continual requests for information. The Respondent had not provided any response to communications and had not presented a response to the claim, which had increased the costs of dealing with the matter. The total amount claimed was £1, 492.40.
3. Further to **Health Development Agency v Parish [2004] IRLR 550** conduct of a party prior to proceedings cannot found a costs order or preparation time order. In respect of a respondent, therefore, it is only the conduct from the date of filing that may be considered. Further, the response having not been provided, it cannot be said that the response had no reasonable prospects of success.

**Case Number: 1404074/2022**

Employment Judge A Frazer  
Date: 26 May 2023

Judgment Reasons sent to the Parties: 12 June 2023

FOR THE TRIBUNAL OFFICE