



EMPLOYMENT TRIBUNALS

Claimant: Cambridge Joinery Limited

Respondent: Commissioners for Revenue & Customs

HELD AT: Bury St Edmunds (via CVP) **ON:** 6th June 2023

BEFORE: Employment Judge Anderson

REPRESENTATION:

Claimant: No Attendance

Respondent: No Attendance

JUDGMENT

1. The appeal by the Claimant against a notice of underpayment issued under the National Minimum Wage Act is dismissed.

Reasons

1. This matter came before me today for hearing of the appeal against a notice of underpayment issued by the Respondent under the National Minimum Wage Act.
2. Neither party attended. No evidence has been filed by either side.
3. I directed that a phone call was put into both parties. I was informed that a call was put into the Claimant but that it would not connect and that there was no number for the Respondent.
4. I have seen an acknowledgement of the appeal and a notice of hearing today. Whilst I am concerned that there has been no evidence submitted and no engagement from either party, I do not exercise my discretion to adjourn this

matter. Tribunal resources are stretched and it is not for the Tribunal to chase parties for updates or to be the proactive party in progressing cases.

5. Even with a neutral burden of proof, there is nothing before me that would be the basis for allowing the appeal. This is not a case in which the pleading in isolation establishes the appeal. This is a case in which evidence is required. Without evidence, I am unable to allow the appeal that the notice was incorrectly issued, and I dismiss the appeal.

Employment Judge Anderson

6th June 2023

JUDGMENT SENT TO THE PARTIES ON

12 July 2023

FOR THE TRIBUNAL OFFICE