



EMPLOYMENT TRIBUNALS

Claimant: Mr M Gawryś

Respondent: Polish Restaurant Cracovianka Ltd (in Voluntary Liquidation)

Heard at: Birmingham, by CVP **On:** 21 September 2023

Before: Employment Judge Coghlin KC

Appearances

For the claimant: Did not appear and was not represented

For the respondent: Did not appear and was not represented

JUDGMENT

1. The claimant's claims of unauthorised deductions from wages, unpaid holiday pay and breach of contract are dismissed.

REASONS

2. Today's hearing has been listed since 16 February 2023.
3. The respondent has not entered a response to the claim. On 11 July 2023 the tribunal wrote to the respondent as follows

"You did not present a response to the claim.

Under rule 21 of the above Rules, because you have not entered a response, a judgment may now be issued. You are entitled to receive notice of any hearing but you may only participate in any hearing to the extent permitted by the Employment Judge who hears the case."

4. The respondent appears to have been incorrectly named on the ET1, though the address given was correct. The correct name of the respondent appears to be as above, and I direct that the respondent's name be amended accordingly.

5. Since issuing his claim the claimant has not participated in the proceedings other than by an email to the tribunal on 28 March 2023 to which the tribunal replied on 4 May 2023. The claimant has not complied with case management directions issued on 16 February 2023 for the production of a schedule of loss, witness evidence and a hearing bundle. The tribunal sent him a pro forma schedule of loss on 4 May 2023, and chased him for a schedule of loss by letter dated 11 July 2023. The tribunal wrote to him on 15 September 2023, chasing him again for a schedule of loss and reminding him to provide a hearing bundle. He has not responded or complied with any case management directions.
6. Neither party attended the hearing today. The claimant has not explained that he was unable to attend. The tribunal clerk has twice attempted to call him on the mobile phone number given on his ET1 form but without success – the number has apparently been disconnected.
7. In circumstances where the claimant has not attended today, and in the circumstances I have set out above, I dismiss his claim.

Useful information

8. All judgments and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.
9. There is information about Employment Tribunal procedures, including case management and preparation, compensation for injury to feelings, and pension loss, here:
<https://www.judiciary.uk/publications/employment-rules-and-legislation-practice-directions/>
10. The Employment Tribunals Rules of Procedure are here:
<https://www.gov.uk/government/publications/employment-tribunal-procedure-rules>
11. You can appeal to the Employment Appeal Tribunal if you think a legal mistake was made in an Employment Tribunal decision. There is more information here:
<https://www.gov.uk/appeal-employment-appeal-tribunal>

Employment Judge Coghlin KC

21 September 2023