



EMPLOYMENT TRIBUNALS

Claimant: Miss Marilena Panayiotou

Respondent: Circle Wood Limited

Heard at: Watford Hearing Centre

On: 4 September 2023

Before: Employment Judge Tobin (sitting alone)

Representatives

For the claimant: In person (from Cyprus)

For the respondents: Mr V Parti (lay representative)

JUDGMENT

This has been a remote hearing which has been consented to by the parties. The form of remote hearing was by a video hearing through HM Courts & Tribunal Service Cloud Video Platform (“CVP”). A face-to-face hearing was not held because the relevant matters could be determined in a remote hearing.

The claimant could not join through the CVP links provided, notwithstanding that the Judge, the Tribunal clerk and the respondent’s representatives (through 2 separate links) all accessed and participated without problem. The claimant was able to access a previous hearing through CVP (although seemingly while in the UK). The claimant accessed this hearing by telephone. It later transpired that she was in Cyprus; nevertheless, she was able to participate in this hearing without disruption until she wanted to leave for other commitments.

The Judgment of the Employment Tribunal is that:

- 1. Pursuant to rule 38 of The Employment Tribunal’s Rules of Procedure, schedule 1 of the Employment Tribunals (Constitution & Rules of Procedure) Regulations 2013 the claimant’s claim in respect of unpaid annual leave has been dismissed for non-compliance with Employment Judge Quill’s Unless Order of 8 July 2022 (promulgated to the parties on 13 September 2022).**

2. The claimant's remaining claim of automatic unfair dismissal, pursuant to s104C Employment Rights Act 1996 or, in the alternative, s105(7BA) Employment Rights Act 1996, is struck out under rule 37(1)(c) of The Employment Tribunal Rules of Procedure on the basis that the claimant has not complied with orders of the Employment Tribunal (and a fair hearing is no longer possible).

3. All claims having now been dealt with; proceedings are now concluded.

Employment Judge Tobin
4 September 2023

JUDGMENT SENT TO THE PARTIES ON

18 October 2023.

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FOR THE TRIBUNAL OFFICE

Note

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.

Public access to Employment Tribunal decisions

All Judgments and Written Reason for the Judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant and respondents.