



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs J Ridley

**Respondent:** Midway Care Group Limited

**Heard at:** Birmingham Employment Tribunal, by CVP On: 22 April 2024

**Before:** Employment Judge Kight

## Representation

Claimant: Did not attend

Respondent: Mr S Jagpal, Representative

# JUDGMENT

1. The Claimant did not attend today's hearing. No application for a postponement of the hearing has been made. Such enquiries as are practicable have been made of the reasons for the Claimant's non-attendance and all the available information has been considered, including representations from the Respondent's representative.
2. The Claimant having confirmed, in writing prior to the hearing, that her dates of employment with the Respondent were 3 February 2022 to 25 October 2023, she does not have sufficient continuous service to present a claim for unfair dismissal. Therefore, in the absence of circumstances which give rise to a claim for automatic unfair dismissal to which the continuous service qualification does not apply, her claim for constructive unfair dismissal is dismissed for lack of jurisdiction.
3. The Claimant has not identified in her claim form what arrears of pay and over what period she claims she is owed. A valid claim for unpaid wages is not made out from the information available to the Tribunal. That claim is also therefore dismissed.
4. In the alternative both claims are dismissed pursuant to Rule 47 of Schedule 1 of the Employment Tribunal (Constitution and Rules of Procedure) Regulations 2013, following the Claimant's non-attendance as described above.

Employment Judge **Kight**

Date 22 April 2024

**Notes**

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**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

**Recording and Transcription**

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>