



EMPLOYMENT TRIBUNALS

BETWEEN:

Claimant
Mr S Trzos

And

Respondent
Teen Spirit Limited

AT A FINAL HEARING

Held: Lincoln **On:** 16 May 2024
Before: Employment Judge R Clark (Sitting alone)

REPRESENTATION

For the Claimant: Did not attend and was not represented.
For the Respondent: Mr Charlton Cooper, General Manager.

JUDGMENT

The claimant's claims are dismissed.

REASONS

1. The Claim was listed for a final hearing at Lincoln today. Notice of hearing was sent on 18 December 2023 to the parties at the contact addresses given. For the claimant, that was his representative who completed his claim form.
2. Neither party appeared to have attended by 10.00 am but Mr Cooper was, in fact, sat in the waiting area near the original Court Room 5 where he had been directed on arrival. My usher was unable to locate Mr Trzos and Mr Cooper confirmed had not seen Mr Trzos in the precinct of the court. I caused further enquiries to be made by my clerk in Nottingham to check that he was not simply delayed.
3. In the meantime, the hearing had to be moved to court 10 for unrelated reasons with listing. That meant there was further time for any late arrival as the case was not called on until approximately 10:45. Mr Trzos was still not in attendance. My usher searched again in the area of Court 5.

- 4. My clerk responded that she was able to check the tribunal’s general inbox but found no communication from the claimant or his representative. She also attempted to contact her by telephone, but the given number simply rang out to answerphone without being answered.

- 5. Mr Cooper sought the dismissal of the claim. He told me that the claimant had not served a witness statement on the respondent as ordered which suggested this non-attendance may not be inadvertent. In the absence of any explanation for the claimant’s absence, I agreed to dismiss the claim under rule 47 of the 2013 rules of procedure.

- 6. There were no other applications.

Employment Judge **Clark**

Date: 16 May 2024

JUDGMENT SENT TO THE PARTIES ON

.....03 June 2024.....

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FOR THE TRIBUNAL OFFICE