



EMPLOYMENT TRIBUNALS

Claimant: Mr M Aden
Respondent: Gist Ltd
Heard at: Bury St Edmunds (via CVP)
On: 26 April 2024
Before: Employment Judge Graham

Representation
Claimant: Did not attend
Respondent: Mr B Mordey, Paralegal

JUDGMENT

1. The claim is struck out.

REASONS

1. Today's private preliminary hearing was listed for case management.
2. The Claimant did not attend. The Tribunal staff checked the Tribunal email inbox however there was no correspondence from the Claimant where he was either seeking a postponement or seeking to explain his non-attendance.
3. I waited a further ten minutes for the Claimant to arrive, however he did not do so.
4. The Respondent stated that the Claimant had not complied with the Tribunal direction dated 11 March 2024 to provide additional information concerning his claim by 25 March 2024. No additional information has been received.
5. The Respondent states that it contacted the Claimant on 4, 8 and 17 April 2024 to engage with him and to obtain the additional information from him,

however he did not respond.

6. The Claimant did not complete a Case Management Agenda in advance of this hearing. The Respondent has done so, and it has also attempted to produce a draft list of issues without any input from the Claimant. That list of issues could not be advanced due to the paucity of information in the ET1 claim form and the apparent failure of the Claimant to engage.
7. It appeared to me that the Claimant had received notice of the hearing but had chosen not to attend, and further that he had chosen not to comply with the directions of the Tribunal.
8. I therefore decided that the appropriate course would be to strike out the claim under Employment Tribunal Rule 37(1)(d) (failure to actively pursue her claim) and Rule 47 (non-attendance).

Employment Judge **Graham**

Date 26 April 2024

JUDGMENT SENT TO THE PARTIES ON

12/06/2024
FOR THE TRIBUNAL OFFICE

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 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/>