



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr R Clarke

**Respondent:** National Tyre Service Limited

**Heard at:** Bristol (by CVP) **On:** 16 May 2024

**Before:** Employment Judge D Gray-Jones

## Representation

**Claimant:** Did not attend and was not represented

**Respondent:** Mr R Ford, Solicitor

# JUDGMENT

1. The Claimant has failed to attend the scheduled final hearing, having been notified of the listing by the Tribunal on 02 January 2024. The Claimant's application of 30 January 2024 to postpone the hearing was refused by EJ Self on 20 February 2024 for the reasons set out in that Order.
2. The Tribunal clerk has attempted to contact the Claimant using the mobile phone number and email address given by the Claimant in his ET1. There have been no responses to the voicemail message left and the email sent to the Claimant.
3. The Respondent has attended today having prepared a bundle and witness statements in compliance with the Tribunal's Case Management Order of 02 January 2024. The Claimant has not provided any documents for the bundle and has not served a witness statement.
4. Rule 47 of the Employment Tribunals Rules of Procedure 2013 ("the ET Rules") provides:

## **"47. Non-attendance**

If a party fails to attend or to be represented at the hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of the party. Before doing so it shall consider any information which is available to it, after any enquiries that may be practicable about the reasons for the party's absence."

5. Having considered the material available to the Tribunal the Tribunal is satisfied that the Claimant has chosen not to attend or participate in the hearing and in the circumstances it is appropriate to dismiss the claim under Rule 47. In reaching this decision the Tribunal has also had regard to Rule 2 of the ET Rules.

---

Employment Judge D Gray-Jones

Date: 16 May 2024

JUDGMENT SENT TO THE PARTIES ON

4th June 2024

FFOR THE TRIBUNAL OFFICE

**Note**

Written reasons will not be provided unless 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.