



EMPLOYMENT TRIBUNALS

Claimant: Mrs L Mahomed

Respondent: Birkin Cleaning Services Limited

Heard at: East London Hearing Centre (in public by video)

On: 17th June 2024

Before: Employment Judge Howden-Evans

Representation

Claimant: No attendance

Respondent: In person, by Ms Moles, HR Adviser and Ms Phillips, Head of HR and joined by Mr Bell (Account Manager and witness)

JUDGMENT

The judgment of the Tribunal is the Claimant's claim of unlawful deductions from wages is not well founded and is dismissed. These proceedings are dismissed.

REASONS

1. This final hearing by video was listed to determine this case. The Claimant has not attended today's hearing. Rule 47 Employment Tribunal Rules of Procedure 2013 explains that if a party has not attended (or been represented at) a hearing I may dismiss the claim or proceed in the absence of that party.
2. At 9.59am this morning, the Tribunal received an email from the Claimant saying, "Please cancel the below hearing as I did cancel earlier but it must have not been processed, please cancel". I have considered the remaining documents that are available to me. Ms Moles confirmed the Respondent had received an email last week stating the Claimant was withdrawing her claim, but the Claimant has not confirmed this to the Tribunal.
3. The Respondent has undertaken a lot of preparation for today's hearing. They have complied with the case management directions and have provided a file of documents and a number of witness statements. I understand the Claimant has not complied with the case management directions – for instance she has not provided any witness statement for today's hearing, nor has she responded to case management orders that

required her to write to the Tribunal by 3rd June 2024. I determined that it furthered the overriding objective for me to continue this final hearing in the absence of the Claimant.

4. I considered the documents. I accept that the Claimant is not owed any outstanding wages.
5. If the Claimant wishes to apply for me to reconsider this decision, she should write to the Respondent and Tribunal within 14 days of this Judgment being sent to her, explaining:
 - a. Why they have not complied with the case management directions;
 - b. Why they did not attend today's hearing; and
 - c. Why it is in the interests of justice for me to reconsider this judgment?

**Employment Judge Howden-Evans
Dated: 17th June 2024**