



EMPLOYMENT TRIBUNALS

Claimant: Ms B Jankovics
Respondent: Costa Ltd
Heard at: Watford Employment Tribunal (In Public; By Video)
On: 5 June 2024
Before: Employment Judge Quill (Sitting Alone)

Appearances

For the Claimant: No appearance or representation
For the respondent: No appearance or representation

JUDGMENT

1. The entire claim is dismissed in accordance with Rule 47.

REASONS

1. Following the Respondent's failure to present a response, a hearing was listed for today to consider liability and remedy in accordance with Rule 21.
2. The Notice of Hearing was sent on 25 March 2024, and I am satisfied that it was correctly sent to the email address which the Claimant had supplied on the Form ET1.
3. The Notice of Hearing contained various case management orders, including orders for the Claimant to supply various documents to the Respondent and various documents to the Tribunal. It included the right to make written representations.
4. The Claimant has supplied no documents to the Tribunal. She was sent the video link for this hearing, but has not attended. At 10am, when she was not present, I telephoned her. The call went straight to voicemail and I left her a message instructing her to join immediately.

5. The tribunal clerk has checked whether the Claimant (i) came to the hearing centre by mistake, and/or (ii) has phoned the Tribunal and/or (iii) has emailed the Tribunal. She has not done any of those things.
6. I waited in the video room until 10.25am to give the Claimant a chance to arrive, and she did not do so.
7. I am satisfied that no further enquiries can be made.
8. Rule 47 allows me to dismiss the claim, or to proceed with the hearing in the Claimant's absence. Proceeding with the hearing in the Claimant's absence would be pointless. The reason that a Rule 21 hearing was ordered (coincidentally by me) was that there was not enough information to make a decision on the papers.
9. Instead of dismissing the claim, I could postpone the hearing. However. There has been no contact with the Tribunal from the Claimant since the claim form was presented, in July 2023, no compliance with the orders made for today's hearing, and no response to the telephone call which I made. Rather than divert further resources to a claim which seems to have been abandoned, my decision is that I should dismiss the claim rather than postpone.
10. Any application for reconsideration must be made within the normal time limits, and sent in writing to the Tribunal and the Respondent.

Employment Judge Quill

Date: 5 June 2024

JUDGMENT SENT TO THE PARTIES ON

15 July 2024

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FOR THE TRIBUNAL OFFICE

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