



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs T Parmiter

**Respondent:** Business Launch Limited

**Heard at:** Bury St Edmunds County Court **(by CVP) On:** 29 July 2024

**Before:** Employment Judge Scott

## **Representation**

Claimant: No attendance

Respondent: Mr Liam O'Shea (in person)

## JUDGMENT

1. The claim is dismissed under rule 47 of the Tribunal Procedure Rules as the claimant failed to attend the case management hearing listed for 10am on 29 July 2024.

## REASONS

1. By a claim form dated 6 February 2024, the claimant alleged that she was unfairly dismissed and that she had experienced sex discrimination.
2. The claimant contacted ACAS on 4 January 2024 and a certificate was issued on 1 February 2024, against a prospective respondent, Liam O'Shea c/o Wicked Uncle. This claim is therefore brought within time.
3. In her claim form, the claimant claims she experienced sex discrimination. However, she has not detailed the conduct she claims shows sex discrimination, but does indicate that she has a list of instances in her diary, which have not been disclosed to the respondent.
4. The claimant also complains of unfair dismissal. She was employed from 1 August 2022 until 19 December 2023, and so the claimant has not been employed for two years at the date of termination, the relevant "qualifying period", required by s108 (1) of the Employment Rights Act 1996. The claimant's ET1 does not show a basis for claiming automatically unfair dismissal, and the claimant did not attend the case management hearing and so no clarification of her claim was possible. On the basis of the ET1, her unfair dismissal claim is without merit.

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5. The respondent, Mr Liam O'Shea resists the claim. It is his case that the claimant was not unfairly dismissed and did not experience sex discrimination. He also states that the correct employer is Business Launch Limited, trading as Wicked Uncle. In the absence of the Claimant to make representations regarding the correct name of the employer, the Tribunal accepts Mr O'Shea's representations and amends the employers name accordingly.
6. The claimant failed to attend the hearing on 29 July 2024. I am satisfied that the notice of hearing was correctly served on her in advance of the hearing by post to the contact details provided on the claim form.
7. The Tribunal had not been notified in advance of the hearing of any reason why the claimant could not attend the hearing listed on 29 July 2024.
8. The Tribunal sought to contact the claimant by telephone at 10.03am and by email at 10.09am. There was no response.
9. The Tribunal was sent directions to the claimant and the respondent on 10 June 2024 detailed case management directions until a final hearing on 28 and 29 October 2024. The claimant has failed to comply with those directions.
10. I have considered whether it is possible to continue with the claim in the absence of the claimant. However, given her claim is not well explained in her claim form, that she has not provided any details of the evidence she will present at the final hearing, that she has not responded to the respondent's agenda identifying the correct respondent identify, or complied with directions to date, I am satisfied that it cannot. I therefore dismiss the claim under rule 47 of the Employment Tribunal Procedure rules for non attendance by the claimant.

\_\_\_\_\_  
Employment Judge Scott

Date 22 August 2024

JUDGMENT SENT TO THE PARTIES ON

02/10/2024

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.

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**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

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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/>