



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr C. Ellis

**Respondent:** Openreach Limited

**London Central**  
**Preliminary hearing in public by CVP**

**6 January 2025**

**Employment Judge Goodman**

**Representation:**

Claimant: did not attend

Respondent: Ms A. Jervis, in-house advocate

## JUDGMENT

The claims are dismissed under rule 38(d) of the Employment Tribunal Rules of Procedure 2024

### REASONS

1. On 29th May 2024 the claimant presented claims to the employment tribunal that he had been unfairly dismissed because of age race and disability. He had been employed since 2001. He gave the termination date as 31st May 2024.
2. There was a case management hearing before Employment Judge Nicklin on 10th October 2024. The intention was to clarify the claims and fix a date for final hearing. The claimant did not attend. Judge Nicklin listed a permanent hearing in public for today, and In the written order warned the claimant that if he did not communicate with the employment tribunal between then and now there was a risk that his claim might be struck out. He was ordered to write to the employment tribunal about his non attendance by 24th October, and to comment on the draft list of issues by the 7th November 2024. The respondent was ordered to file a bundle for today's hearing.
3. The respondent filed a bundle, and also wrote to the claimant explaining the orders and the draft list of issues. The claimant has not replied to them or to the tribunal.
4. This morning he did not attend. He has had communication by e-mail at the address given by him on ET1. Neither the respondent nor the tribunal has a telephone number for him.
5. In the circumstances I can only conclude that the claims are not actively

pursued and accordingly they are dismissed under rule 38(d), which empowers an employment tribunal to strike out claims on this ground.

Employment Judge Goodman

Date 6 January 2025

JUDGMENT SENT TO THE PARTIES ON

9 January 2025

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FOR THE TRIBUNAL OFFICE

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