



# EMPLOYMENT TRIBUNALS

## Claimant

Mr X Bokciu

v

## Respondent

Conaco Construction  
Services Limited

**Heard at:** Manchester (by CVP)

**On:** 21 January 2025

**Before:** Judge Johnson

## Appearances

**For the Claimant:** did not attend

**For the respondent:** Mr David Wild (Payroll Manager)

# JUDGMENT

Having heard from the respondent and the claimant not attending, the following judgment was made:

(1) The claim is dismissed.

## REASONS

1. The claimant did not attend the hearing today and did not contact the Tribunal in advance or even during the hearing to explain that he was having difficulties attending the final hearing, whether due to technical reasons or personal matters of an exceptional nature.
2. I was satisfied that the claimant had received notice of the hearing on 7 August 2024. He had presented a claim on 8 July 2024 following a period of early conciliation and having worked for a brief period with the respondent from 7 to

8 July 2024. He identified a complaint of unlawful deduction from wages in the sum of £417.

3. The respondent initially did not respond to the claim and it was decided by the Tribunal to re-send the proceedings on 7 October 2024.
4. The respondent provided a response on 1 November 2024, which included a grounds of resistance explaining that the claimant was asked to provide a Right To Work (RTW) Sharecode from the Home Office which would confirm that the claimant had a right to work in the UK. This would allow the respondent to make a reference to the Employer Checking Service (ECS), which would provide verification that the claimant could work in the UK. In the alternative, they asked for his UAN number which is a unique 16 digit number confirming a person was settled in the UK.
5. Mr Wild confirmed that had the claimant provided confirmation of his right to work, using the requested information, he would have been paid for the time that he worked. However, without it, the respondent ran the risk that they would be deemed to be illegally employing a person who did not have a right to work in the UK.
6. It is understood that the claimant is not a British or Irish national or was not at the time he worked for the respondent and quite naturally, the respondent was concerned that it did not receive a £60,000 fine which can be imposed where an employer illegally employs someone without having the relevant Home Office information.
7. In the absence of any evidence or submissions to the contrary from the claimant, I was satisfied that the Tribunal did not have jurisdiction to hear his claim. Consequently, his claim is dismissed.

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Employment Judge Johnson

Date: 21 January 2025

Sent to the parties on: 30 January 2025

For the Tribunal Office

**Note**

**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.

**Recording and Transcription**

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<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>