



EMPLOYMENT TRIBUNALS

Claimant: Mr E Bayley

Respondent: Quick Serv Limited

HELD AT: Liverpool (by CVP)

ON: 1 April 2025

BEFORE: Employment Judge Johnson

REPRESENTATION:

Claimant: Did not attend

Respondent: Did not attend

JUDGMENT

The judgment of the Tribunal is that:

- (1) The claimant failed to attend the final hearing and in accordance with Rule 48 of the Employment Tribunals Rules 2024, the claim is dismissed.

REASONS

Introduction

1. The claimant presented a claim form to the Tribunal on 11 August 2024 following a period of early conciliation with ACAS from 25 May to 6 July 2024. He said he was employed from 11 January 2024 to 25 May 2024.
2. The claim which identified complaints of wages, notice pay, and holiday pay was accepted by the Tribunal and a Notice of Claim letter was sent to the respondent at the identified address on 15 August 2024.

3. The respondent did not reply and/or present a response within the required time. On 17 September 2024, the claimant asked that judgment be entered. However, the next day, the respondent's representative notified the Tribunal that the proceedings had been served upon the incorrect address (3 Cherry Tree Road North, Blackpool, FY4 4NY). He said the correct registered office address for service of documents was 96-106 Whitegate Drive, Blackpool, FY3 9ES.
4. Today I noted that according to Companies House, the respondent remains an active company and the registered office remains 96-106 Whitegate Drive.
5. The final hearing listed for 19 November 2024 was postponed and Judge Cookson ordered that the proceedings be re-served upon the respondent at 96-106 Whitegate Drive. This was done on 15 November 2024 with a Notice of Claim and Notice of Hearing for today's date being sent.
6. The respondent has since failed to respond, and no response has been presented.
7. Both parties were aware of the final hearing date. No further correspondence had been received from either party seeking clarification or variation to date for the presentation of the response or the final hearing date.
8. I understand that the claimant was provided with the joining details for this remote CVP hearing.
9. I waited from 14:15 until 14:35 at the beginning of the hearing and neither party appeared. There was no correspondence or record of calls from either party concerning their potential absence or late joining of the hearing. Neither party had provided documents in advance for use at this final hearing.
10. Consequently, applying the provisions of Rule 48 of the Employment Tribunals Rules, I was content that neither party was likely to attend the final hearing, nor provided an explanation for their late/non-attendance. Dismissal was the appropriate option allowed by Rule 48.

Conclusion

11. Accordingly, I dismissed the claim without further order.

Employment Judge Johnson

Date: 1 April 2025

JUDGMENT SENT TO THE PARTIES ON

7 April 2025

FOR THE TRIBUNAL OFFICE

Notes

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at 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

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 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/>