



EMPLOYMENT TRIBUNALS

Claimant: Mr Eric Andres Altamirano

Respondent: Kingsdale Group Ltd

JUDGMENT

The judgment of the tribunal is that:

1. The claim is struck out pursuant to Rule 47 of the Employment Tribunal Rules of Procedure as the claimant has failed to attend the CMPH on 20 April 2026.

FULL REASONS

1. Notice of a case management preliminary hearing to be heard on 20 April 2026 was sent to the parties on 28 September 2025. The hearing was listed at 14.00 hours and was to be by CVP.
2. In his claim form at section 9.2, the claimant has expressly pleaded:-

“ I am willing to give evidence by video hearing...”
3. On 15 December 2024 the claimant prepared and served a Christmas lunch to a number of elderly residents at the respondent’s premises. On 18 December 2024 the claimant was suspended on full pay to investigate allegations from two housekeeping assistants concerning the claimant’s actions and conduct during that meal. Included was an allegation that the turkey was undercooked.
4. On 27 December 2024 the claimant emailed the respondent to say:-

“I can’t see going forward with the cook position at Farthing Court”
5. The respondent treated this as the claimant resigning.
6. The CVP joining details for this hearing were sent to the parties on Friday 17 April 2026.
7. At 16.58 on Saturday 18 April 2026 the claimant sent a number of attachments.

One of them is a letter as follows:-

“NOTICE OF ATTENDANCE

I, ERIC ANDRES ALTAMIRANO will not be able to attend our video hearing on 20th April 2026 at 2 pm due to the following:

- I am abroad since February 25th 2025 with the intentions to return in the future.
 - Access to computer or a private area where I can manage to participate is very restricted.
 - I won't be able to use my international mobile phone due to signal problems.
 - There is a six hours difference with UK time, have a personal appointment same day.
 - The length of response from the tribunal since 2025 for a preliminary hearing.”
8. The claimant did not attend the CMPH at 14.00 on 20 April 2026. Ms Mihaela Tatarova, a manager, attended on behalf of the respondent.
9. I do not accept that the claimant could not have made arrangements to attend the CMPH hearing remotely. I find that the claimant has not provided a satisfactory explanation as to why he is not here. Consequently, I have decided to strike out the claim pursuant to Rule 47 of the Employment Tribunal Rules of Procedure.

Approved by:

Employment Judge Alliot

Date: 6 May 2026

JUDGMENT SENT TO THE PARTIES ON

7 May 2026

FOR THE TRIBUNAL OFFICE

Notes

All judgments (apart from judgments under Rule 51) and any full written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment->

[tribunal-decisions](#) shortly after a copy has been sent to the claimants and respondents.

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. 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:

www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/