



## EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

v

Mr. A. Dumitrascu

The Delta Group

## PRELIMINARY HEARING

**Heard at:** Watford

**On:** 18 May 2017

**Before:** Employment Judge Heal

### Appearances

**For the Claimant:** not present or represented

**For the Respondent:** Miss A. Mayhew, counsel

### Preamble

1. By a claim form presented on 6 February 2017 the claimant made complaints of unfair dismissal and race discrimination. He said that he had been employed between September 2016 and November 2016.
2. Accordingly by letter dated 26 April 2017 the tribunal wrote to the claimant giving him until 10 May 2017 to show cause why his complaint of unfair dismissal should not be struck out because he did not have two-years' service.
3. The tribunal has received no response to that letter. Therefore, the complaint of unfair dismissal is struck out.
4. A preliminary hearing was listed to deal with the claimant's remaining complaint of race discrimination. Notice of this hearing was sent to the claimant on 28 February 2017.
5. The tribunal clerk left 2 messages for the claimant on 17 May 2017 to confirm his attendance on 18 May 2017 but the claimant did not reply.
6. At 10 a.m. on 18 May 2017 the claimant was not present or represented at the tribunal. The tribunal clerk made a search for the claimant and attempted to

contact him by telephone without success. At 10.15 a.m., the claimant had not appeared.

7. Ms Mayhew for the respondent said that the respondent had not received any response to its further and better particulars or draft agenda and directions.
8. I consider that the tribunal has made such enquiries as are practicable. There is no apparent reason for the claimant's absence. Therefore, the claimant having failed to attend the hearing, I have decided to dismiss the complaint of race discrimination in the claimant's absence under rule 47 of the Employment Tribunal (Constitution and Rules of Procedure) Regulations 2013, schedule 1.

## **JUDGMENT**

1. The complaints of unfair dismissal and race discrimination are dismissed.
2. Costs reserved.

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**Employment Judge Heal**

Date: 18 May 2017

Sent to the parties on:

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For the Tribunal:

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