



EMPLOYMENT TRIBUNALS

Claimant: Mr Gary Price

Respondent: A & B Cleaning Limited

Heard at: Reading **On:** 20 February 2017

Before: Employment Judge Gumbiti-Zimuto

Representation:

For the Claimant: Not attending and not represented

For the Respondent: Mrs Alison Phillips - Director

JUDGMENT

The claim is dismissed.

REASONS

1. The claimant in this case is Mr Gary Price who appears to have brought these proceedings pursuant to regulation 12 of the Transfer of Undertakings (Protection of Employment) Regulations 2006.
2. The claimant has not attended the hearing today.
3. The respondent was represented by Mrs Alison Phillips, a director of the respondent company. The respondent has not presented a response to the claim. Had a response been submitted the response would have been that the respondent has complied with the requirements of regulation 11 and therefore no claim could be successfully made pursuant to regulation 12.
4. On the 9 February 2016 the claimant wrote to the Tribunal stating that the transferee in the relevant transfer, Pura Cleaning Limited, was going into liquidation and that he would not be attending this hearing. The claimant stated that he would “pass details of the case onto the liquidator and ask them to confirm if they wish to proceed in future.” There has been no further communication from the claimant and nothing has been heard from the liquidator.

5. Rule 47 of the Employment Tribunals Rules of Procedure 2013 provides that: “If a party fails to attend or to be represented at the hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of that party. Before doing so, it shall consider any information which is available to it, after any enquiries that may be practicable, about the reasons for the party’s absence.”
6. In the circumstances, where the claimant has indicated that he does not wish to proceed with the case, and nothing further has been heard from the claimant, I have therefore decided that the claim should be dismissed.

Employment Judge Gumbiti-Zimuto

Date: 20/02/2017

Sent to the parties on:

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For the Tribunals Office