



THE EMPLOYMENT TRIBUNALS

BETWEEN

Claimant

Respondent

Mr E Smart

AND

Anne Ganley Thompsons
Waste Centre

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

Held at: North Shields Hearing Centre **On:** Tuesday 13 February 2018

Before: Employment Judge Johnson

Appearances

For the Claimant: No attendance, no appearance
For the Respondent: No attendance, no appearance

JUDGMENT

- 1) The claimant`s complaint of entitlement to a redundancy payment is not well-founded and is dismissed.
- 2) The claimant`s complaint of breach of contract (failure to pay notice pay) is not well-founded and is dismissed.
- 3) The claimant`s complaint of unauthorised deduction from wages is not well-founded and is dismissed.
- 4) The claimant`s complaint of entitlement to accrued holiday pay is not well-founded and is dismissed.

REASONS

- 1) This matter came before me this morning for consideration of the claims brought by the claimant in a claim form presented on 5 February 2014. That claim was originally rejected, following the claimant's failure to pay the appropriate Employment Tribunal fee. The claim was effectively re-instated on 6 December 2017, following the decision of the Supreme Court in the Unison case.
- 2) The claim form lacks any meaningful detail. It names as the respondent "Anne Ganley, Thompsons Waste Centre". The company, "Sunderland Waste Centre Limited" went into administration on 18 March 2014. The Tribunal suspects (but cannot be sure) that Anne Ganley was a director of that company. In the absence of any contradictory evidence, the Tribunal is satisfied that it is more likely than not that the claimant was employed by Thompsons Waste Centre Limited.
- 3) In his claim form, the claimant alleges that he is owed notice pay, holiday pay, arrears of pay and a redundancy payment. The claimant has not provided any information about the date when his employment began or the date when his employment came to an end. He does not set out how many hours he worked, or what his rate of pay was. It simply states that he worked 50 hours each week and was paid £1,000.20 take home pay each month.
- 4) By letter dated 30 January 2018, the Employment Tribunal invited the claimant to provide documentary evidence to support his claim. The claimant has failed to reply to that letter. A reminder was sent on 7 February. The claimant has failed to reply to that letter. The claimant failed to attend today's hearing.
- 5) The Tribunal is satisfied that the claimant is unable to prove any of the claims which he has brought to the Tribunal and all of those claims are dismissed.

EMPLOYMENT JUDGE JOHNSON

**JUDGMENT SIGNED BY EMPLOYMENT
JUDGE ON**

23 February 2018