



EMPLOYMENT TRIBUNALS

Claimant: Mr Kayser

Respondent: Kwik-Fit GB Ltd

JUDGMENT

1. The Claimant's claim is struck out.
2. The Respondent's employer's counterclaim succeeds in default of a response. The Respondent is awarded the sum of £393.40 in compensation.

REASONS

Claim

1. By a letter dated 10 December 2020, the Tribunal gave the Claimant an opportunity to make representations or to request a hearing, as to why the claim should not be struck out because he had failed to comply with the letters dated 26 November and 7 December 2020.
2. The Claimant has failed to make representations in writing as to why this should not be done. Indeed, the Claimant has failed to contact the Tribunal at all since the claim was issued. The claim is therefore struck out.

Employer's counterclaim

3. The Claimant's claim included a complaint of breach of contract.
4. The Respondent's Response of 4 June 2020 included an employer's counterclaim. The Claimant was sent notice of the employer's counterclaim by the Tribunal on 1 July 2020 and was informed that he had 28 days within which to file a response to it.
5. No response was received by the Tribunal within 28 days or at all. The Respondent is entitled to judgment on its counterclaim under rule 21 (see rule 25). The amount of the counterclaim is clearly calculated within the Response.
6. The hearing fixed for 16 December 2020 will not take place

Employment Judge Livesey
Date: 15 December 2020