



EMPLOYMENT TRIBUNALS

Claimant: Mr. J. Howard

Respondent: Nurtured Future Livings Ltd

HELD BY: CVP

ON: 15th October 2021

BEFORE: Employment Judge T. Vincent Ryan

REPRESENTATION:

Claimant: Absent – attendance not excused and absence not explained

Respondent: Ms H. Self of the respondent company with Ms C. Simpson-Sconce (HR)

JUDGMENT

The judgment of the Tribunal is that the claimant's claim is struck out on the ground that it has not been actively pursued.

REASONS

1. The claimant failed to attend the hearing of his claim today despite Notice of Hearing having been sent to him by the Tribunal using the information provided to it by him.
2. The claimant did not inform the Tribunal that he could not attend today, required a postponement, or that he had technical or other practical issues in participating in the hearing.
3. The Tribunal's clerk attempted to contact the claimant at the outset of the hearing which was listed for 2pm but the claimant did not respond.
4. By 2.20pm the claimant had not made any contact with the Tribunal, joined the hearing or appeared to have attempted to participate.
5. In these circumstances the claimant did not present his case or adduce evidence in support of the claim such that the possibility remains he has accepted the respondent's response and for that, or any other, reason has decided not to pursue the claim.

6. Being mindful of a potential IT reason for non-participation and in the light of the above circumstances I decided not to hear the respondent's evidence or to judge upon the merits of the claim and response. It seemed to me more appropriate to strike out the claim under Rule 37 (1) (d) ETs (Constitution & Rules of Procedure) Regs 2013.

Employment Judge T.V. Ryan

Date: 15.10.21

JUDGMENT SENT TO THE PARTIES ON

Date: 20.10.21

FOR THE TRIBUNAL OFFICE