



EMPLOYMENT TRIBUNALS

Claimant: Mirela Dragomir

Respondent: Bowshank Ltd, Ridgeway Court

JUDGMENT OF THE EMPLOYMENT TRIBUNAL

Heard at: Midlands West Employment Tribunal in private by telephone

On: 14 February 2023

Before: Employment Judge Kelly (sitting alone)

Appearances

For the claimant: No attendance

For the respondent: No attendance

JUDGMENT

The judgment of the Tribunal is that:

The claimant's claim is dismissed on her non-attendance.

REASONS

1. The claimant has not attended this hearing.
2. Mindful of rule 47 of the Employment Tribunal Rules of Procedure 2013, we have considered whether we should dismiss the claim or proceed in the absence of the claimant. We have also considered if we should adjourn the Hearing.
3. On 11 August 2022, the Tribunal sent notice of today's hearing to both parties and instructed the parties to complete and return the attached agenda. No such document has been returned.
4. On 2 February 2023, the Tribunal send the claimant a reminder of today's hearing and gave information of how to attend it. It also instructed her to complete and return the agenda by 10 February 2023. No agenda was

received by the Tribunal. The Tribunal sent a further email on 13 February 2023 confirming to the parties that the hearing was listed for today.

5. There is no evidence on the Tribunal file that the claimant has contacted the Tribunal since her claim was issued.
6. We attended the telephone hearing at the time allocated (14.15) and the claimant did not attend. The Tribunal subsequently called the claimant twice. Both calls went to voice mail. It was not possible to leave a message. The Tribunal emailed both parties at 14.20 informing them that the hearing had started and providing the joining details. The claimant did not join the hearing. By 14.40, the claimant had not joined the hearing.
7. We consider that the claimant has acted unreasonably in failing to attend the hearing. We consider it to be in line with the overriding objective, in terms of dealing with issues in ways which are proportionate, avoiding delay and saving expense, to dismiss the claim.

Signed electronically by me Employment Judge Kelly

On 14 February 2023