



EMPLOYMENT TRIBUNALS

Claimant: Mr J Kremer
Respondent: Tuffbau Limited
Heard at: East London Hearing Centre (via CVP)
On: 10th January 2023
Before: Employment Judge Reid

Representation

Claimant: did not attend
Respondent: Mr S Burton

JUDGMENT

- 1. The Claimant's claims are all struck out under Rule 47 of the Tribunal Rules 2013 because he failed to attend today's hearing. The Tribunal considered the information before it before making this decision, having attempted to contact the Claimant today on the mobile number he had provided on his claim form.**
- 2. Reasons were given orally but these are also set out below for the Claimant's benefit.**

REASONS

- 1 The Claimant has not attended today's hearing and his representative came off the record on 4th January 2023.
- 2 There has been no contact from the Claimant about his claim since the email from his representative on 8th November 2022 asking for more time to comply with the Tribunal's Orders.

- 3 An extension of time was then granted but the Tribunal heard nothing further from the Claimant and he did not then comply with the Orders.
- 4 When his representative came off the record on 4th January 2023 she cited difficulties in communication with him as he is abroad and had been unwell.
- 5 No evidence of ill health or any other problems affecting attendance has been provided by the Claimant.
- 6 There has been no email contact since 8th November 2022 except from his representative coming off the record.
- 7 There have been no messages or requests for postponement by the Claimant.
- 8 He was called today on the mobile number he provided on his ET1 claim form but someone called Simon who said he had never heard of the Claimant picked up on that number. No other number has been provided by the Claimant.
- 9 Rule 47 of the Tribunal Rules contains the power to strike out for non-attendance by a party.
- 10 The Tribunal has considered the above information and reasonable attempts have been made today to contact the Claimant to find out the reasons for his non-attendance.
- 11 It is not appropriate as an alternative to proceed in the Claimant's absence; his failure to comply with the Orders (as to disclosure, witness statement and schedule of loss) means there is very little information about his claim.
- 12 Therefore in light of the overriding objective in Rule 2 and the need to avoid delay, save expense and deal proportionately with the issues, the Tribunal strikes out all the Claimant's claims in their entirety under Rule 47.

Employment Judge Reid
Dated: 10th January 2023