



EMPLOYMENT TRIBUNALS

Claimant: Mr S Charles Abua-Langi
Respondent: NISE Security & Facility Management Ltd

Heard at: Leicester Hearing Centre, 5a New Walk, Leicester, LE1 6TE
On: 31 January 2020
Before: Employment Judge Adkinson sitting alone

Appearances

For the claimant: No appearance
For the respondent: Mr M Curtis, Counsel

JUDGMENT

The Tribunal considered the Tribunal's file and noted that the claimant wrote to the Tribunal on 30 January 2020 to say he was not coming because he was unaware of the hearing. However, after considering that letter and the fact the notice of hearing had been sent to the claimant at the postal address and email address he provided and that there was no evidence to support their non-receipt, Regional Employment Judge Swann ordered that the hearing would remain listed. That order was also sent to the claimant at the postal and email address he provided. However, he did not attend nor did he reply to it.

The Tribunal considered rule 47 of the Tribunal's rules, and decided the hearing should proceed in the claimant's absence because the evidence showed he knew of the hearing and had chosen not to attend.

The Tribunal considered the contents of the Tribunal's file and the respondent's arguments and **ordered** that

1. The claim for unlawful deduction from wages (Employment Rights Act 1996 Part 2) was not presented in time but it was reasonably practicable to have presented it in time. The claim is therefore out of time and the Tribunal does not have jurisdiction to consider it. The claim is therefore dismissed.
2. The claims for discrimination because of race (no matter how pleaded) (Equality Act 2010 Part 2 and Part 5) were not presented in time and it is not just and equitable to extend time. The claims are therefore dismissed.

Employment Judge Adkinson

Date: 31 January 2020

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.