



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr C Ball

**Respondent:** Mech Electrics Limited

**Heard at:** Liverpool **On:** 1 March 2021

**Before:** Employment Judge Horne

## **Representatives**

For the claimant: Did not appear and was not represented

For the respondent: Mr A Eddowes, director

## **JUDGMENT**

The claim is dismissed.

## **REASONS**

1. The hearing code “V” in the heading to this judgment indicates that the hearing took place on a remote video platform. Neither party objected to the format of the hearing.
2. Rule 47 of the Employment Tribunal Rules of Procedure 2013 provides that the tribunal may dismiss a claim if a party fails to attend or be represented at a hearing. Before dismissing a claim under this rule, the tribunal must consider any information which is available to it, after any enquiries that may be practicable, about the reasons for the party’s absence.
3. This is a claim for £211.20 in allegedly unpaid wages.
4. In a letter dated 22 October 2020 the parties were informed that the final hearing would take place at 10am today on a remote video platform.
5. The parties were notified on 26 February 2021 that the start time for the hearing was being changed to 2.15pm.
6. The claimant did not attend and did not make contact with the tribunal to explain his non-attendance.

7. At 2.17pm, the tribunal clerk telephoned the claimant, who answered the call. According to the clerk, the claimant told her that he was at work, that he had “had nothing from the tribunal” and that he would be available to speak to the judge about his claim over the telephone.
8. The respondent has not heard directly from the claimant since first being notified of the claim.
9. I was satisfied that the tribunal had informed the claimant of the date for the hearing. The tribunal’s e-mails were sent to the same e-mail address that the claimant had used in correspondence with the respondent.
10. This is a claim for a relatively small amount of money. It would not be proportionate to adjourn the hearing to see if the claimant participates next time.
11. I did consider whether or not to hear the claimant’s representations directly by telephone and to take those representations into account when determining the claim on its merits. The difficulty with that course is that I would not be able to conduct that part of the hearing in public. Final hearings must take place in public, subject to the provisions of rule 50, which do not apply here.
12. The claim is therefore dismissed.
13. If the claimant can demonstrate that he did not receive notice of today’s hearing, he may apply for the judgment to be reconsidered. He should note the time limits for making reconsideration applications.

Employment Judge Horne  
1 March 2021

SENT TO THE PARTIES ON  
5 March 2021

FOR THE TRIBUNAL OFFICE