



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs N Preston

**Respondent:** Caring People

**Heard at:** Birmingham

**On:** 21 February 2018

**Before:** Employment Judge Dawson

## **Representation**

Claimant: No attendance

Respondent: No attendance

# JUDGMENT

1. Upon there being no attendance by either party the claims are dismissed.

# REASONS

1. By 10.30 am neither party had attended.
2. Upon considering the file it was noted that;
  - a. both parties had been given notice of the hearing date on 11 October 2017,
  - b. the Respondent disputed the claims asserting that they were vexatious and a response had been accepted from it,
  - c. there was no other communication with the Employment Tribunal by either party.
3. At 10.30 am the clerk telephoned the Claimant who told her that she thought that the hearing was to take place in April and referred to an extension that the Employment Tribunal had given. She was not attending

today.

4. I looked at the file in the light of the Claimant's comments, the only reference to an extension is an order of Employment Judge Woffenden dated 14 December 2017 extending time for presentation of a response. It did not alter the hearing date.
5. There is no apparent basis for an adjournment of today's hearing even if I were to treat the Claimant as implicitly asking for one. I am conscious however that neither party has attended which suggests that there may be communications from the Employment Tribunal which are not apparent from the file.
6. Looking at the file, given that the claims are disputed and the burden of proof rests on the Claimant in respect of all of her claims it is not possible for me to be satisfied on the balance of probabilities that the Claimant's claims are well founded and I dismiss them.
7. I draw the parties' attention to rule 70 of the Rules of Procedure which permits the parties to apply for reconsideration of a judgment where it is in the interests of justice to do so.
8. If the Claimant or Respondent have a reason for failing to attend today then they can apply for a reconsideration of this decision within 14 days of the date that this judgment is sent to the parties. I will consider the merits of any application if and when it is made.

Employment Judge Dawson  
21 February 2018

Note

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.