



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4102058/2017

Employment Judge: Ian McPherson

Mr KS Gilmour

Claimant

East Dunbartonshire Council

Respondents

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

The judgment of the Employment Tribunal is that the claimant's complaints of:-

- (a) Unfair dismissal and
- (b) Breach of contract by failure to pay notice pay

all succeed.

The remedy to which the claimant is entitled will be determined at a hearing.

REASONS

1. A copy of the claim form setting out the claimant's complaints was sent to the respondent on 3 July 2017
2. In accordance with the terms of Rule 16 of the Rules to be found in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 the respondent was required to enter a response within twenty eight days of the date on which a copy of the claim was sent to it but failed to do so.
3. The Employment Judge decided that on the available material a determination could properly be made without a hearing as to the liability of the respondent for the claim but not in respect of the remedy.
4. The remedy to which the claimant is entitled for the claim will be determined by an Employment Judge at a hearing.
5. Within 14 days of issue of this Judgment, the claimant will confirm whether he still wishes to be re-instated by the respondent to his old job, or re-engaged by them in another job, and provide a detailed schedule of loss showing how much financial compensation he seeks from the respondent, and explaining his calculation, and provide a copy to the respondent, at the same time as doing so to the Tribunal.

Employment Judge: G. Ian McPherson

Date of judgment: 9 August 2017

Entered in register and copied to parties: 11 August 2017