



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case No: S/4104056/18 Held at Aberdeen on 30 November 2018

Employment Judge: Mr J M Hendry (sitting alone)

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Mr A Roper

Claimant
No Appearance

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Petrofac Facilities Management Limited

Respondent
Represented by:
Mr S Jones –
Solicitor

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

In terms of Rule 47 of the Employment Tribunal (Constitution & Rules of Procedure) Regulations 2013, Schedule 1 the claimant's claim for unfair dismissal is dismissed.

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REASONS

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1. The claimant in his ET1 sought a finding that he had been unfairly dismissed by the respondents. In their ET3 the respondents raised the issue of time bar arguing that the claim was lodged out of time. The claim appeared to be time barred.

2. Following correspondence the claimant's representative and thereafter with the claimant a hearing on time bar was arranged to take place at the Employment Tribunal office in Aberdeen on 30 November 2018 at 10am. The claimant received a Notice of the Hearing sent to the same address used by him in his ET1. The Notice was dated 1 November 2018.

3. The claimant did not contact the Employment Tribunal he neither attended nor was represented at the hearing. Mr Jones sought dismissal of the proceedings.

4. The Tribunal waited a little time to ascertain if the claimant would arrive late. He did not. There was no telephone number given in his ET1 to allow the Tribunal to contact the claimant.

5. After the hearing ended there was no contact that day from the claimant.

6. In the circumstances and having considered the overriding objective I came to the view that the proceedings should be dismissed. It will of course be open to the claimant to seek a reconsideration of my Judgment if there was good reason for his non-attendance.

7. Mr Jones indicated that he would take instructions in relation to a possible application for expenses.

Employment Judge: James Hendry
Date of Judgment: 05 December 2018
Entered in Register: 06 December 2018
And Copied to Parties: