



EMPLOYMENT TRIBUNALS (SCOTLAND)

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Case No: S/4104480/2018

Heard in Glasgow on 18 July 2018

Employment Judge: Ms R Sorrell

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Mr S Paterson

Claimant

No Appearance

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AB2000 Limited

Respondent

Represented by:

Mr J Houston -

Managing Director

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

It is the judgment of the Tribunal that the claim is dismissed under Rule 47 of the
25 Employment Tribunal (Constitution and Rules of Procedure) Regulations 2013
("ETR REGS 2013").

REASONS

- 30 1. The claimant lodged a claim for holiday pay and unlawful deductions of wages
on 28 April 2018.
2. The claimant did not appear at the Hearing.
- 35 3. The clerk to the Tribunal telephoned the claimant and left a message on his
voicemail to contact the Tribunal. The clerk also emailed the claimant and
advised that the Hearing would proceed at 2.30pm if he had not made contact
with the Tribunal.

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4. There was no response from the claimant and the Hearing proceeded at 2.30pm.

5. Mr Houston, for the respondent submitted that the claimant has been offered numerous opportunities to specify his claim and the amount of compensation sought but has not responded. He has therefore been unable to consider the respondent's position or how to proceed.

6. Having considered the case file, I noted that EJ Whitcombe wrote to the claimant on 13 June 2018 requesting full details of all sums claimed and the calculations for that by 26 June 2018. As the claimant did not respond, EJ McPherson wrote to the claimant on 5 July 2018 asking that he provide reasons for there being no reply to the correspondence on 13 June 2018. The claimant did not respond to this correspondence.

7. In view of the claimant's non-appearance at the Hearing and his failure to respond to the Tribunal correspondence seeking further specification of his claim, I have determined that the claim should be dismissed under Rule 47 of the "ET REGS 2013" because the claim is not being actively pursued. I am of the view that a dismissal of the claim is appropriate in these circumstances and in accordance with the overriding objective (Rule 2 of the "ET REG 2013") to deal with cases fairly and justly.

8. For these reasons the claim is dismissed.

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Employment Judge: R Sorrell
Date of Judgment: 19 July 2018
Entered in register: 25 July 2018
and copied to parties

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