



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4122570/2018

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Held in Glasgow on 18 March 2019

Employment Judge: Ian McPherson

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Mrs Rose Lewis

Claimant

NIC Services Group Ltd

Respondents

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

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The claim is struck out in its entirety under **Rule 37 of the Rules contained in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013** on the grounds of (a) non-compliance with an Order of the Tribunal dated 26 February 2019 in terms of **Rule 37(1)(c)**; and (b) that the claim against the respondents has not been actively pursued by the claimant in terms of **Rule 37(1)(d)**.

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REASONS

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1. On 26 February 2019, the claimant having failed to appear, or be represented at a Case Management Preliminary Hearing, I issued a written Note and Orders of the Tribunal, giving the claimant 14 days from date of issue of the Note to make written representations to the Tribunal, in terms of **Rule 37(2)**, to explain her non-attendance, and confirm whether or not she continued to insist on her claim against the respondents, as it appeared that she was not actively pursuing her claim in terms of **Rule 37(1)(d)**, and that she did not have two years' qualifying service to complain of unfair dismissal.

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E.T. Z4 (WR)

2. If she was to pursue her claim, I ordered her, within that period of 14 days, to supply further and better particulars of her claim, her ET1 claim form being lacking in specification, and her completed PH Agenda not having answered all the required questions.

3. By issue of that written Note and Orders to her, under cover of a letter to her from the Tribunal dated 27 February 2019, the Tribunal gave the claimant an opportunity to give written reasons by 13 March 2019 or to request a Hearing in order to consider why the claim, or part of the claim, should not be struck out. She had previously failed to attend, or be represented, at an earlier Case Management Preliminary Hearing on 16 January 2019.

4. Despite the Order of the Tribunal dated 26 February 2019, the claimant has failed to give any reply, or any acceptable reason why such a judgment should not be made or to request a Hearing. The Tribunal therefore strikes out the claim in its entirety on the grounds of (a) her non-compliance with that Order of the Tribunal; and (b) that the claim against the respondents has not been actively pursued by her.

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Employment Judge

Ian McPherson

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**Date of Judgment
Entered in register
and copied to parties**

18 March 2019

19 March 2019