



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4122848/2018

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Held in Glasgow on 3 April 2019

Employment Judge: David Hoey (sitting alone)

10 **Mr S Forrester**

Claimant
No appearance and
No representation

15 **Gordon Strang & others**

Respondent
No appearance and
No representation

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

The Judgment of the Employment Tribunal is that it is in the interests of justice that the claim is dismissed.

REASONS

1. The claimant raised a claim for non-payment of wages. No detail as to what precisely was being claimed was given. The respondent did not lodge a response. A Hearing was fixed today to determine what, if any, sums were due to the claimant. The claimant had previously been asked to provide detail as to what was being sought in writing but had not done so.
2. Neither party attended the Hearing when it called at 10am. I directed my clerk to make enquiries to determine the reason for absence. I noticed on file that previous correspondence to the claimant had been returned with a potential new address. I asked my clerk to telephone the number on the claim form and the new address (which was "care of a hotel"). My clerk was unable to make

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contact with the claimant but was led to believe that the claimant may in fact be resident within that establishment (in live-in accommodation).

3. I noted that the claimant had made no enquiries as to the progress of his claim and had in fact made no contact with the Tribunal office, and had not himself
5 advised the Tribunal as to his new address (nor whether he intended to proceed with his claim).

4. Rule 47 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 allow an Employment Judge to dismiss a claim if a party
10 fails to attend once practicable enquiries have been made as to the reason for absence.

5. Given the claimant had made no attempt to check upon the progress of his claim and had failed to advise the Tribunal as to his new address I decided that it would be in the interests of justice for the claim to be dismissed. I was
15 conscious that expense had been occasioned in the fixing of the Hearing today.

6. It is open to the claimant to seek a reconsideration of this judgment if it is in the interests of justice to do so. Strict time limits apply. The Rules can be found at rules 70-72 of the 2013 Rules referred to above.

7. I direct that this decision be sent to the address has on file (which is where it
20 is understood the claimant now resides). If the claimant seeks reconsideration of the judgment he should explain why he failed to attend today and set out precisely what he is claiming and why.

8. The claim is accordingly dismissed.

25	Employment Judge	D Hoey
	Date of Judgment	03 April 2019
30	Entered in register and copied to parties	11 April 2019