



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4100189/2019

5

Held in Glasgow on 5 April 2019

Employment Judge: David Hoey (sitting alone)

10 **Ms G Regulska**

Claimant
No appearance and
No representation

15 **Mitie Limited**

Respondent
Ms Docherty
Solicitor

20

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 lodged a response denying any sums were due and seeking specification of the sums. A Hearing was fixed today to determine what, if any, sums were due to the claimant.
2. The claimant did not attend the Hearing when it called at 10am. I directed my clerk to make enquiries to determine the reason for absence. The claimant's previous agent had withdrawn from acting due to lack of instructions. The respondent had sought information from the claimant on 3 occasions (sending the correspondence to the claimant's address as above). There had been no response. There was no other way of contacting the claimant.

30

3. I noted that the claimant had made no enquiries as to the progress of her claim and had in fact made no contact with the Tribunal office following the withdrawal of her agent. I also noted that the respondent was prepared to proceed and had taken the time to prepare productions (which had been sent to the claimant).
4. Rule 47 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 allows an Employment Judge to dismiss a claim if a party 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 her claim and had failed to attend the Hearing I decided that it would be in the interests of justice for the claim to be dismissed. I was conscious that expense had been occasioned in the fixing of the Hearing today. This was in accordance with the respondent's position.
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. If the claimant seeks reconsideration of the judgment she should explain why she failed to attend today and set out precisely what she is claiming and why.
8. The claim is accordingly dismissed.

Employment Judge

D Hoey

Date of Judgment

05 April 2019

**Entered in register
and copied to parties**

09 April 2019