



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4112144/2019**

**Mr R McCann**

**Claimant**

**Devro (Scotland) Ltd**

**Respondents**

## **JUDGMENT**

The claim is struck out under rule 37 of the Rules contained in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 on the grounds that the claim has not been actively pursued in terms of rule 37(1)(d)

## **REASONS**

1. On 10 December 2019, the claimant was sent a letter from the offices of Employment Tribunal (Scotland) and asked to comment on the respondent's assertion that he does not have the required length of service to pursue an unfair dismissal claim, and his position regarding the suggestion that the claim was lodged outwith the required time period. No response was received from the claimant. On 19 December 2019, an email was sent to the claimant (copied to the respondent's representative) reminding the claimant to reply, seeking a reply by 9 January 2020, informing that failure to reply may result in an Employment Tribunal considering steps to strike out the claim.

- 2 On 10 January 2020, the Tribunal gave the claimant an opportunity to give written reasons by 17 January 2020 or to request a hearing in order to consider why the claim should not be struck out.
  
- 3 The claimant has failed to give respond or an acceptable reason why such a judgment should not be made or to request a hearing. The Tribunal therefore strikes out the claim.

**Employment Judge : C McManus**  
**Date of Judgment : 24 January 2020**  
**Date sent to parties : 28 January 2020**