



THE EMPLOYMENT TRIBUNALS

Claimant: Miss A Jarvis

Respondent: St Mungo's Community Housing Association

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. The Claimant failed to attend Preliminary Hearings on 19 October & 6 November 2020. She has also failed to comply with Case Management Directions. The claimant's last communication with the respondent was, as far as I am aware, 15 June 2020.

2. The Tribunal wrote to the Claimant and the Respondent by email and post on 6 November attaching/enclosing the Preliminary Hearing Case Management Summary and Orders. The Order directed that the Claimant must write to the Tribunal on or before Friday 20 November 2020 to confirm whether or not she was still actively pursuing her claim and warned her that if she failed to do so, an Employment Judge would consider whether to strike out the Claimant's claims under Rule 37 of the Employment Tribunal Rules of Procedure. I asked the Tribunal Clerk to telephone the claimant to advise her that the email had been sent. The clerk advises me that her phone rang once on 6 November but then went to an engaged tone. The clerk tried again on my instruction on Monday 9 November. The Claimant told the clerk that she had not seen the email but that she was unwell.

3. The Claimant has not replied to the email/letter (the clerk checked on Monday 23 November), nor has she contacted the Tribunal by telephone. Whilst the Claimant told the clerk that she was unwell when she spoke to him on 9 November, she was able to communicate with him but she has not written to the Tribunal or contacted the Tribunal by telephone since that contact. She did not attend the earlier preliminary hearings or communicate with the Tribunal to request a postponement of either of those hearings. She has also failed to comply with Case Management Directions.

4. I therefore strike out the Claimant's claim. It is clear that she is not actively pursuing her claim. She has done nothing to pursue it since June 2020.

**Employment Judge Scott
Date: 24 November 2020**