



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4101646/2019 Held in Glasgow**

**Employment Judge I McPherson**

**Miss H McSorley**

**Claimant**

**Tooltime UK 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. The claim was presented on 5 February 2019, and defended by ET3 from the respondents on 27 February 2019.
2. By Judgment dated 7 October 2019, while the claim of unfair dismissal was dismissed, the claim of harassment succeeded, and a remedy hearing was to be fixed.
3. On 13 October 2020, the Tribunal gave the claimant an opportunity to give written reasons by 27 October 2020 or to request a hearing in order to consider why the claim should not be struck out.
4. Despite the passage of time since that date, the claimant has failed to give an acceptable reason why such a Judgment should not be made or to request a hearing. The Tribunal therefore strikes out the claim as not being actively pursued.

Employment Judge: Ian McPherson  
Date of Judgment: 13<sup>th</sup> January 2021  
Entered in Register: 11<sup>th</sup> February 2021  
Copied to Parties