



## EMPLOYMENT TRIBUNALS (SCOTLAND)

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**Case No: 4103413/20**

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**Final Hearing Heard in Edinburgh on the 8<sup>th</sup> February 2021**

**Employment Judge Porter**

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**Miss J Dunn**

**Claimant  
Absent**

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**Lochore Miners Welfare and Social Club**

**Respondents  
Absent**

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### **JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

**The Employment Tribunal dismisses the claimant's claims of unfair dismissal and breach of contract (notice pay) on the basis that they have not been actively pursued under Rule 37 (1) (d) of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, Schedule 1.**

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### **REASONS**

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1. In these proceedings the claimant claims unfair dismissal and breach of contract (notice pay). The claimant's claims are resisted, and the case was set down for an in person Hearing on the Merits on the 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> February 2021.
2. There was a Preliminary Hearing ("PH") on the 29<sup>th</sup> January 2021 for the purpose of discussing COVID-19 measures for the forthcoming in person Hearing. Neither party attended the PH.

3. Neither party attended the Tribunal for the Hearing on the Merits on the 8<sup>th</sup> February 2021. The clerk telephoned both parties but received no response.
4. In these circumstances the Employment Judge dismisses the claimant's claims of unfair dismissal and breach of contract on the grounds that they have not been actively pursued. The cases are dismissed under Rule 37 (1) (d) of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, Schedule 1.

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Employment Judge: Jane Porter  
Date of Judgment: 09 February 2021  
Entered in register: 10 February 2021  
and copied to parties

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