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EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4104785/2020

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Hearing Held in Glasgow by Cloud Video Platform (CVP) on 09 July 2021

Employment Judge B Beyzade

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Mr Craig Robertson

**Claimant
In Person**

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Red Lion Trading Limited (In Liquidation)

**Respondent
Not present and
not represented**

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

1. The judgment of the Tribunal is that:

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1.1 The claimant's application to amend his claim to include a claim for arrears of pay in respect of the period between 28 September 2020 to 22 November 2020 in the amount of £3678.56 gross is granted.

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1.2 It is ordered that the claim be listed for a two-hour continued Cloud Video Platform ('CVP') final hearing on the first open date after 7 September 2021 to determine the claimant's claim for unpaid wages.

1.3 The Secretary of State be added as a Respondent in this case.

1.4 The claimant's claims for a redundancy payment, notice pay and holiday pay having been withdrawn by the claimant, are dismissed under Rule 52 of the Rules contained in Schedule 1 of the *Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013*.

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1.5 The claimant's application to amend his claim to include claims of stress and defamation is refused, the Tribunal not having jurisdiction to consider the said claims.

REASONS

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1. Oral reasons were given for this judgment at the end of the hearing held via Cloud Video Platform ('CVP') hearing.

CASE MANAGEMENT ORDERS

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1. I direct that the claimant's claim for arrears of pay between 28 September and 22 November 2020 be listed for a 2-hour continued final hearing **on the first open date after 7 September 2021** by Cloud Video Platform (CVP).
2. I direct that **by no later than 28 days before the date of the final hearing** the parties exchange with each other copies of any documents to be relied on at the final hearing. I further direct that the parties prepare a joint file of documents which shall be page numbered and in chronological order and shall contain an index, and the same shall be sent to the Tribunal and also to every other party (and also to the Secretary of State) in electronic format **by no later than fourteen days** before the final hearing.
3. The Secretary of State shall be added as a party to the proceedings. The Secretary of State shall submit any response and any representations (if so advised) to the Tribunal and copy to all parties to these proceedings **by no**

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later than **28 days** from the date of issue of this judgment. I direct that the Secretary of State be given notice of the final hearing and sent a copy of the judgment relating to today's hearing and a copy of the ET1 Claim Form as soon as possible. This is to enable the Secretary of State to appear and be heard at the final hearing, as the proceedings may involve a payment out of the National Insurance Fund.

Employment Judge: Beyzade Beyzade

Date of Judgment: 09 July 2021

Entered in register: 20 July 2021

and copied to parties

I confirm that this is my judgment in the case of Mr Craig Robertson v Red Lion Trading Limited (In Liquidation) Case No 4104785/2020 and that I have signed the order by electronic signature.

Note - Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing, or a written request is presented by either party within 14 days of the sending of this written record of the decision.