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EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4107493/2020 (V)

**Public Final Hearing held in Glasgow by Cloud Based Video Platform
(CVP) on 29 July 2021**

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Employment Judge Mr A Tinnion

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Mr Charlie Cuisick

**Claimant
No attendance**

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Merlin Network (Scotland) Limited

**Respondent
Represented by
Mr Harte,
Solicitor**

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JUDGMENT

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1. On the Respondent's application, the name of the Respondent is amended to its correct legal name of Merlin Network (Scotland) Limited.

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2. It is appropriate for the Tribunal to determine in the Claimant's absence (i) whether his complaint of unfair dismissal under s.98 of the Employment Rights Act 1996 presented on 26 November 2020 was presented within 3 months of his agreed effective date of termination on 10 July 2020 (ii) whether it was reasonably practicable for the Claimant to have presented his complaint in time

(iii) whether his complaint was presented within such further period as the Tribunal considers reasonable if it was not reasonably practicable.

3. The Claimant's complaint of unfair dismissal was not presented in time.
4. It was reasonably practicable for the Claimant's complaint of unfair dismissal to
5 have been presented in time.
5. The Tribunal lacks jurisdiction over the Claimant's complaint of unfair dismissal.
6. The Claimant's complaint of unfair dismissal is dismissed for lack of jurisdiction.

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Employment Judge:	A Tinnion
Date of Judgment:	29 July 2021
Date sent to parties:	25 August 2021