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## **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4108054/2021 and 4108056/2021**

**Held in Glasgow by Cloud Video Platform (CVP) on 18 May 2021**

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**Employment Judge Murphy**

**Ms M Froncova**

**First Claimant  
Not present and  
not represented**

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**Mr K Gocal**

**Second Claimant  
Not present and  
not represented**

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**Openborder Recruitment Ltd**

**Respondent  
Represented by  
Iain Smith,  
Director of the  
Respondent**

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## **JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

30 The judgment of the Employment Tribunal is that the claims are dismissed.

### **REASONS**

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1. The Claimants failed to attend or be represented at the hearing. It was ascertained through enquiries that a notice of hearing was sent to the claimants by email (their preferred method of communication) on 9 March 2021. Subsequently, the Tribunal Clerk sent six separate emails in the period from 11 to 18 May 2021 regarding the arrangements for the hearing and the conduct of a Cloud Video Platform (CVP) test. Checks were made to ensure

all correspondence was sent to the correct email address. The Clerk received no response.

2. During the hearing, however, an email was located which had been sent by one of the claimants to the generic Glasgow Tribunal address after close of business on the eve of the hearing, as follows:

*"..the situation has changed and we can't be on the video chat at this time the all information we have passed to the aicas" (sic)*

3. No reason was given for the non-attendance and no request was made for a postponement. Having considered all information available in relation to the notice provided of the hearing and the limited communication received from the claimants regarding their lack of attendance, the Tribunal dismissed both claims pursuant to Rule 47 of the Employment Tribunals Rules of Procedure 2013.

Employment Judge: Lesley Murphy  
Date of Judgment: 19 May 2021  
Entered in register: 28 May 2021  
and copied to parties