



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4108709/2021
Employment Judge D Hoey

Miss S McCoy

Claimant

Mrs Fiona Barton

Respondent

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. On 28 June 2021, Employment Judge O'Donnell directed the claimant to provide comments on the respondent's assertion that the claimant was paid in lieu of notice and been paid for any outstanding holiday entitlement. The claimant was given fourteen days to respond but no response was received.
- 2 On 23 July 2021, D Doherty, Legal Officer, issued a reminder to the claimant to provide her comments on the respondent's assertion. The claimant was allowed seven days to respond but no response was received.
- 3 On 4 August 2021, the Tribunal gave the claimant an opportunity to give written reasons by 18 August 2021 or to request a hearing in order to consider why the response should not be struck out.
- 4 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.

Employment Judge: David Hoey
Date of Judgment: 24 August 2021
Entered in register: 24 August 2021
and copied to parties