

EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4104636/2020 & others per attached schedule

Employment Judge I McPherson

Mr J Smeaton

Claimant

(and 33 others per attached schedule)

Marmac Services Limited

Respondent

JUDGMENT

The claims are 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 claims have not been actively pursued in terms of rule 37(1)(d).

REASONS

- 1. On 16 June 2021 the claimant's representative informed the Tribunal that an agreement had been reached between the respondent and the claimants, payment would be forthcoming, and the claims could subsequently be dismissed. The claimant's representative stated they would confirm the same within fourteen days. No confirmation was provided.
- 2. On 7 July 2021, the Tribunal asked the claimant's representative to provide, within fourteen days, an update on the current position of the claims. No reply was received.
- 3. On 3 December, the Tribunal issued a reminder to the claimant's representative to provide an update on whether the claims should be dismissed following payment. No reply was received.
- 4. On 3 February 2022 the Tribunal gave the claimant an opportunity to give written reasons by 17 February 2022 or to request a hearing in order to consider why the claims should not be struck out.
- 5. 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 claims.

Employment Judge: I McPherson
Date of Judgment: 23 February 2022

Entered in register: 24 February 2022

and copied to parties

Multiple Schedule

Multiple: 9502 - Marmac Services Limited

4104636/2020 Mr John Smeaton -v- Marmac Services Limited 4104638/2020 Mr Adam Smeaton -v- Marmac Services Limited 4104639/2020 Miss Gail Mabon -v- Marmac Services Limited 4104640/2020 Mr Graham Mellon -v- Marmac Services Limited 4104641/2020 Mr William Gilmer -v- Marmac Services Limited 4104642/2020 Mr Scott Anderson -v- Marmac Services Limited 4104643/2020 Mr Caolan O'Reilly -v- Marmac Services Limited 4104644/2020 Mr Raymond Adams -v- Marmac Services Limited 4104645/2020 Mr Neill Horsburgh -v- Marmac Services Limited 4104646/2020 Mr Neil Horsburgh -v- Marmac Services Limited 4104649/2020 Mr Neil Horsburgh -v- Marmac Services Limited 4104649/2020 Mr Steven Conner -v- Marmac Services Limited 4104650/2020 Mr Steven Conner -v- Marmac Services Limited 4104651/2020 Mr Stephen Callaghan -v- Marmac Services Limited 4104651/2020 Mr Stephen Callaghan -v- Marmac Services Limited 4104654/2020 Mr Stephen Callaghan -v- Marmac Services Limited 4104654/2020 Mr Alexander `Hart -v- Marmac Services Limited 4104656/2020 Mr Shaun Docherty -v- Marmac Services Limited 4104656/2020 Mr Shaun Docherty -v- Marmac Services Limited 4104659/2020 Mr Stephen Moss -v- Marmac Services Limited 410466/2020 Mr Alexander `Hart -v- Marmac Services Limited 410466/2020 Mr Stephen Moss -v- Marmac Services Limited 410466/2020 Mr Andy Pyott -v- Marmac Services Limited 410466/2020 Mr Shaun Docherty -v- Marmac Services Limited 410466/2020 Mr Stephen McCall -v- Marmac Services Limited 410466/2020 Mr Selizabeth Lofnes -v- Marmac Services Limited 410466/2020 Mr Ross Dunn -v- Marmac Services Limited 410466/2020 Mr Ross Dunn -v- Marmac Services Limited 410466/2020 Mr Brian Lofnes -v- Marmac Services Limited 410466/2020 Mr Brian L	Case Number	Case Name
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4104662/2020 Mrs Amy McCall -v- Marmac Services Limited 4104663/2020 Ms Elizabeth Lofnes -v- Marmac Services Limited 4104664/2020 Mr Ross Dunn -v- Marmac Services Limited 4104665/2020 Mr Brian Lofnes -v- Marmac Services Limited 4104666/2020 Mr Michael McArdle -v- Marmac Services Limited 4104667/2020 Mr Thomas Johnston -v- Marmac Services Limited 4104679/2020 Mr Steven Hotchkiss -v- Marmac Services Limited	4104660/2020	Mr Andy Pyott -v- Marmac Services Limited
4104663/2020 Ms Elizabeth Lofnes -v- Marmac Services Limited 4104664/2020 Mr Ross Dunn -v- Marmac Services Limited 4104665/2020 Mr Brian Lofnes -v- Marmac Services Limited 4104666/2020 Mr Michael McArdle -v- Marmac Services Limited 4104667/2020 Mr Thomas Johnston -v- Marmac Services Limited 4104679/2020 Mr Steven Hotchkiss -v- Marmac Services Limited	4104661/2020	Mr Christopher McCall -v- Marmac Services Limited
4104664/2020 Mr Ross Dunn -v- Marmac Services Limited 4104665/2020 Mr Brian Lofnes -v- Marmac Services Limited 4104666/2020 Mr Michael McArdle -v- Marmac Services Limited 4104667/2020 Mr Thomas Johnston -v- Marmac Services Limited 4104679/2020 Mr Steven Hotchkiss -v- Marmac Services Limited	4104662/2020	Mrs Amy McCall -v- Marmac Services Limited
4104665/2020 Mr Brian Lofnes -v- Marmac Services Limited 4104666/2020 Mr Michael McArdle -v- Marmac Services Limited 4104667/2020 Mr Thomas Johnston -v- Marmac Services Limited 4104679/2020 Mr Steven Hotchkiss -v- Marmac Services Limited	4104663/2020	Ms Elizabeth Lofnes -v- Marmac Services Limited
4104666/2020 Mr Michael McArdle -v- Marmac Services Limited 4104667/2020 Mr Thomas Johnston -v- Marmac Services Limited 4104679/2020 Mr Steven Hotchkiss -v- Marmac Services Limited	4104664/2020	Mr Ross Dunn -v- Marmac Services Limited
4104667/2020 Mr Thomas Johnston -v- Marmac Services Limited 4104679/2020 Mr Steven Hotchkiss -v- Marmac Services Limited	4104665/2020	Mr Brian Lofnes -v- Marmac Services Limited
4104679/2020 Mr Steven Hotchkiss -v- Marmac Services Limited	4104666/2020	Mr Michael McArdle -v- Marmac Services Limited
	4104667/2020	Mr Thomas Johnston -v- Marmac Services Limited
4104680/2020 Mr Jeff Benedetti -v- Marmac Services Limited	4104679/2020	Mr Steven Hotchkiss -v- Marmac Services Limited
	4104680/2020	Mr Jeff Benedetti -v- Marmac Services Limited