



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Nos: 4105390/2020; 4105391/2020 & 4105392/2020

Mr A McGowan

First Claimant

Steven Davies

Second Claimant

Blair Alston

Third Claimant

Hamilton Academical Football Club Ltd

Respondents

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

1. No response was presented to these claims within time limit for doing so under Rule 16 of the Tribunal's Rules of Procedure. The Respondent is, therefore, not entitled to participate in these proceedings.

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2. On 1 March 2021, the Tribunal wrote to the Claimant's agent indicating that, given the lack of a response, it was considering making a default judgment in this case and asking for quantification of the claims. Schedules of Loss were provided for each Claimant by email dated 3 March 2021.
3. By email dated 4 March 2021 and letter dated 8 March 2021, the Respondent sought to dispute these Schedules. This correspondence from the Respondent did not set out an application to extend time for them to present their response in terms of Rule 20. They were sent a copy of the Tribunal's correspondence of 1 March 2021 which makes it clear that no response had been presented. No application under Rule 20 has been made as a result.
4. In these circumstances, there has been no response properly presented under the Rules of Procedure and so an Employment Judge has decided to issue the following judgment on the available material under Rule 21.
5. The Respondent has failed to pay the Claimants' holiday entitlements and is ordered to pay each Claimant the following sums:-
 - a. Aaron McGowan (4105390/2020.) - £1,188.88
 - b. Blair Alston (Case No.4105391/2020) - £1,640.18
 - c. Steven Davies (Case No.4105392/2020) - £911.73

Employment Judge: Peter O'Donnell
Date of Judgment: 27 April 2021
Entered in register: 27 April 2021
and copied to parties