



EMPLOYMENT TRIBUNALS

Claimant: Mr D Hume

Respondent: Clarico Recruitment Ltd (In administration) C/O Live Recoveries

JUDGMENT

The claim is struck out.

REASONS

1. By a letter dated 04 August 2022 the Tribunal gave the claimant an opportunity to make representations or to request a hearing, as to why the claim should not be struck out because:
 - it has no reasonable prospect of success. This is because your employment ended on 26 June 2021. Early conciliation was from 31 August 2021 until 3 September 2021. Your claim was presented on 7 June 2022. The time limit for bringing claims of unauthorised deductions from wages failure to pay holiday pay and breach of contract is three months from the date of deduction or the end of employment (less any time spent in early conciliation). Your claim appears, on the face of to be substantially out of time and you have provided no explanation for the delay.
 - the manner in which the proceedings have been conducted by or on behalf of the claimant has been scandalous, unreasonable or vexatious. This is because you appear to have made the same claim on 5 September 2021 (case number 1804431/2021) and this was dismissed in a judgment dated 9 May 2022 because you did not obtain the consent of the administrator to continue the claim and the claim had not been actively pursued. Bringing the same claim again appears to amount to an abuse of process.
2. The claimant has failed to make representations in writing, or has failed to make any sufficient representations, why this should not be done or to request a hearing. The claim is therefore struck out.

Employment Judge Shepherd
22 August 2022