



## **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case Number: 4103625/2022**

**Mr F Waddell**

**Claimant**

**B Mundell Ltd**

**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 for non-compliance with an Order of the Tribunal in terms of rule 37(1)(c).

# **REASONS**

1. On 5 September 2022, 6 October 2022 & 25 October 2022 the claimant was asked to provide further information on the legal basis on which he says the Tribunal had jurisdiction to hear his complaint of unfair dismissal in light of the fact that the claimant had less than two years continuous service as required in terms of section 108 (1) of The Employment Rights Act 1996, no suitable reply was received to this request.

2. On 4 November 2022 the Tribunal gave the claimant an opportunity to give written reasons by 21 November 2022 or to request a hearing in order to consider why the claim should not be struck out. No reply has been received.
3. The claimant has failed to respond or give reasons why such a judgment should not be made or to request a hearing. The Tribunal therefore strikes out the claim.

**Employment Judge: P O'Donnell**  
**Date of Judgment: 23 November 2022**  
**Entered in register: 24 November 2022**  
**and copied to parties**