



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4103701/2022

Employment Judge M Robison

Mr D Ross

Claimant

Professional Canine & Security

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

REASONS

1. By Orders of the Tribunal dated 02 December 2022 the claimant was ordered to provide a schedule of loss and to make an application, if so advised, to amend the claim for any claim of unpaid holiday pay and/or breach of contract.

2. Following the claimant's failure to comply with the Orders, the Tribunal issued a reminder to the claimant on 01 February 2023. No reply was received from the claimant.
3. On 10 February 2023 the Tribunal gave the claimant an opportunity to give written reasons by 24 February 2023 or to request a hearing in order to consider why the claim should not be struck out. The claimant replied on the same date asking that the Tribunal determine any outstanding claim.
4. On 13 February 2023 the Tribunal wrote to the claimant, acknowledging their reply, but confirming they had not fully complied with the Orders and reminded the claimant to do so. No reply was received from the claimant.
5. On 27 February 2023 the Tribunal gave the claimant an opportunity to give written reasons by 06 March 2023 or to request a hearing in order to consider why the claim should not be struck out.
6. 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: M Robison
Date of Judgment: 22 March 2023
Entered in register: 23 March 2023
and copied to parties