



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr F Herlo

**Respondent:** Robert Bosch Ltd

## JUDGMENT

The claim is struck out.

## REASONS

1. By a letter dated **20 June 2023** the Tribunal gave the claimant an opportunity to contact the Tribunal by **27 June 2023** to make representations or to request a hearing, as to why the claim should not be struck out because
  - the claimant had not complied with the Order of the Tribunal dated **23 April 2023**.
2. The claimant has failed to make representations in writing and has failed to ask for a hearing. The claim is therefore struck out.
3. The response form and covering letter stated that the Respondent wished to pursue an employer's contract claim. This was not accepted by the Tribunal and served on the Claimant (although it appears that no rejection letter was sent either).
  - a. This proposed claim is rejected in accordance with Rule 12(1)(a) as one which the Tribunal has no jurisdiction to consider. The Claimant's only complaint was unfair dismissal.
  - b. In the alternative, if the fact that the claim was not positively rejected promptly means that it is too late for Rule 12 to apply, then I strike it out as having no reasonable prospects of success because the Tribunal has no jurisdiction to consider an employer's contract claim when the Claimant's only complaint was one of unfair dismissal.

4. The hearing fixed for **14 and 15 August 2023** is cancelled.

**Employment Judge Quill**

Date: 14 July 2023

JUDGMENT SENT TO THE PARTIES ON

18 July 2023

GDJ  
FOR THE TRIBUNAL OFFICE