



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 8000538/2024**

**Employment Judge S MacLean**

**R Plachetkova**

**Claimant**

**Telecom Service Centres Ltd t/a Concentrix**

**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 that the claim is not being actively pursued in terms of rule 37(1)(d).

## **REASONS**

1. On 24 April 2024, the claimant presented a claim of disability discrimination and unfair dismissal. The respondent lodged their ET3 response within the relevant time period.
2. On 11 June 2024, the Tribunal asked the claimant to provide further information in relation to the complaint of disability discrimination. No reply was received.
3. On 28 June 2024, the Tribunal issued a Notice and Order under rule 27(1) of the rules contained in schedule 1 of the Employment Tribunals (Constitution

and Rules of Procedure) Regulations 2013 (the Rules) informing the claimant that the claim of disability discrimination would be dismissed on 12 July 2024 without further order unless the claimant presented written representations to the Tribunal explaining why that complaint should not be dismissed.

4. No reply was received, and the parties were notified on 22 July 2024 that the claim of disability discrimination had been dismissed. The claimant was informed that she was entitled to apply for reconsideration of that decision. However, no such application was made.
5. On 23 July 2024, the parties were informed that the claim of unfair dismissal would proceed to a final hearing and case management orders were issued. The claimant was ordered to produce a written statement showing the details of her financial loss and the remedy sought within 21 days.
6. On 16 August 2024, the Tribunal wrote to the claimant noting that she had failed to comply with the Tribunal's order and reminding her to do so. No reply was received.
7. On 2 September 2024, the respondent wrote to the Tribunal to apply for strike out of the claim under rule 37 of the Rules.
8. On 5 September 2024, the Tribunal gave the claimant an opportunity to give written reasons by 19 September 2024 or to request a hearing in order to consider why the claim should not be struck out.
9. On 18 September 2024, the respondent wrote to the Tribunal applying for permission for a witness to attend the final hearing remotely by Cloud Video Platform. The application was copied to the claimant. The Tribunal asked the claimant to provide comments when writing to the Tribunal in response to the letter of 5 September 2024. No reply was received from the claimant.
10. The claimant has failed to give an acceptable reason why such a judgment should not be made or to request a hearing and has failed to reply to any correspondence from the Tribunal since the claim was presented. The Tribunal therefore strikes out the claim on the basis that it is not actively pursued.

**S MacLean**  
**Employment Judge**

**20 September 2024**  
**Date of Judgment**

**Date sent to parties**

**20 September 2024**