



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr J Fraser

**Respondent:** IESA Limited

## JUDGMENT

The claim is struck out. The claim comprised complaints of disability discrimination under Section 13 and 15 Equality Act 2010 and a complaint of constructive unfair dismissal.

## REASONS

1. By a letter dated 25 October 2022 Employment Judge Macdonald gave the claimant notice that the hearing today would consider the respondent's strike out application. The claimant had an opportunity to make representations as to why the claim should not be struck out for non-compliance with case management orders.
2. The claimant has failed to attend or provide any written representations. The claimant was informed yesterday that the hearing would be going ahead. The claimant contacted the Tribunal by email to say that he could not attend because he has been called out at work. That is not a sufficient reason for the Tribunal to grant a postponement of the hearing within Rule 30A of the Employment Tribunal (Constitution and Rules of Procedure) Regulations 2013. Effort was made to contact the claimant today but he did not pick up the call.
3. The claim is struck out for two reasons; the claimant's non-compliance with case management orders made on 25 August 2022 and his failure to actively pursue his complaint by his non attendance today.

Employment Judge Aspinall  
15 November 2022

JUDGMENT SENT TO THE PARTIES ON  
21 November 2022

FOR THE TRIBUNAL OFFICE