



# **EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4118274/2018**

**Mr R Duncan**

**Claimant**

**Lochmaben Brewery Company Ltd**

**Respondents**

## **JUDGMENT**

### **Rule 21 of the Employment Tribunal Rules of Procedure 2013**

The judgment of the Employment Tribunal is that the claimant's complaints of unfair dismissal succeed.

The remedy to which the claimant is entitled will be determined at a hearing.

## **REASONS**

1. A copy of the claim form setting out the claimant's complaint(s) was sent to the respondent on 6 September 2018.
2. In accordance with the terms of Rule 16 of the Rules to be found in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 the respondent was required to enter a response within twenty eight days of the date on which a copy of the claim was sent to it but failed to do so.
3. The Employment Judge decided that on the available material a determination could properly be made without a hearing as to the liability of the respondent for the claim but not in respect of the remedy.

4. The remedy to which the claimant is entitled for the claim of unfair dismissal will be determined by an Employment Judge at a hearing.
  
5. Liability in respect of wages due, notice pay due and holiday pay due will be considered at the hearing.

Employment Judge:	David Hoey
Date of Judgement:	22 October 2018
Entered in register:	24 October 2018
And copied to parties	