



# EMPLOYMENT TRIBUNALS (SCOTLAND)

5

Case Number: 8000758/2024

Hearing held by video in Glasgow at 1100 on 26 August 2024

Employment Judge M Whitcombe

10

**Mrs M S Burns**

**Claimant**  
**In person**

15

**Mr B Singh**

**Respondent**  
**In person**  
**(No Response presented)**

20

## JUDGMENT

25

The respondent was not permitted to defend this claim because he had failed to send a response on the prescribed form ("ET3") to the Tribunal by the deadline of 3 July 2024, or on any other date. The Tribunal had reminded the respondent of the need to do so and to apply for an extension of time if he wished to defend the claim in letters dated 25 July 2024 and 20 August 2024. Rule 21(3) was explained and applied.

30

The judgment of the Tribunal is as follows.

35

- (1) The claimant was both an employee and also a worker for the purposes of the Employment Rights Act 1996, the Working Time Regulations 1998 and the Employment Tribunals (Extension of Jurisdiction) (Scotland) Order 1994.

(2) The claimant is entitled to compensation for her accrued right to paid annual leave upon the termination of her contract in the gross sum of **£1,165.21**.

5 (3) The claimant is entitled to compensation for breach of contract in respect of reimbursable expenses totalling **£190.75**.

(4) The respondent is ordered to pay those sums to the claimant.

10 (5) Oral reasons were given in the presence of the parties.

15

**Employment Judge: M Whitcombe**  
**Date of Judgment: 26 August 2024**  
**Entered in register: 27 August 2024**  
**and copied to parties**

20