



## EMPLOYMENT TRIBUNALS

BETWEEN

**Claimant**  
Mr T Simpkins

and

**Respondent**  
Siemens Healthcare Limited

### JUDGMENT

The complaint that the Claimant was unfairly dismissed is struck out.

### REASONS

1. The Claimant complains of unfair dismissal.
2. Section 108 of the Employment Rights Act 1996 requires a Claimant to have not less than 2 years service to make a complaint of unfair dismissal.
3. The Claimant was employed for less than 2 years.
4. Therefore the Claimant is not entitled to bring such a complaint.
5. The Claimant has failed to give an acceptable reason, despite being given the opportunity to do so in a letter dated 3 March 2019, why the complaint should not be struck out.
6. Accordingly, the complaint of unfair dismissal is struck out. The other complaints of unpaid wages and holiday pay are not affected by this judgment.
7. The case remains listed for hearing on 1 October 2019 with a reduced allocation of 3 hours.

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Employment Judge Vowles

16 April 2019

Sent to the parties on  
23 April 2019

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for the Tribunal Office