



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr S Szeliski, Miss A Donlon, Mr P Misiaszek

**Respondent:** Tokyo Industries

## JUDGMENT

The complaints that the claimants were unfairly dismissed and for redundancy payments are struck out.

## REASONS

1. The claimants complain of unfair dismissal and seek redundancy payments.
2. Section 108 of the Employment Rights Act 1996 requires a claimant to have not less than two years service to make an unfair dismissal complaint, and section 55 similarly requires the same period of service to present a claim for a redundancy payment.
3. The claimants were employed by the respondent for less than two years. Therefore the claimants are not entitled to bring such a complaint.
5. The claimants have failed to give an acceptable reason, despite being given the opportunity to do so, why the complaints should not be struck out.
6. Accordingly, the complaints of unfair dismissal and for a redundancy payment are struck out. The claimant's other complaints are not affected by this judgment.

Employment Judge Holmes

Date: 27 June 2019

JUDGMENT SENT TO THE PARTIES ON

5 July 2019

**Case Nos: 2402269/2019  
2402270/2019  
2402271/2019**

FOR THE TRIBUNAL OFFICE