



## **EMPLOYMENT TRIBUNALS (SCOTLAND)**

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Case No: 4107613/19  
Hearing at Edinburgh on 27 September 2019

Employment Judge: M A Macleod

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Daniel Khosrowpour

Claimant  
In Person

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Respondent  
Represented by  
Mr D Milne  
Solicitor

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### **JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

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The Judgment of the Employment Tribunal is that the claimant's application to amend his claim to include a complaint of unfair dismissal, and an ancillary claim of failure to provide a written statement of terms and conditions of employment, is refused for want of jurisdiction; and that the claim of unlawful deductions from wages, having been resolved by the parties, is also dismissed.

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### **REASONS**

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1. The claimant, whose ET1 form was submitted to the Tribunal on 10 July 2019, sought, on 20 August 2019, to apply to amend his claim to include a claim of unfair dismissal. This application was opposed.
2. Submissions were heard by the Tribunal at the outset of the Hearing on 27 September 2019.

- 5 3. An oral judgment was given by the Employment Judge at the Hearing, with reasons, refusing the application to amend on the basis that the claimant lacked the requisite two years' minimum qualifying service on which to base an unfair dismissal claim under section 108 of the Employment Rights Act 1996.
4. The remaining claim, of unlawful deductions from wages, fell away as the parties confirmed that the outstanding payment was made to the claimant in full on 9 September 2019.
- 10 5. As a result, the claim has been resolved and concluded, and the unlawful deductions from wages claim is dismissed.

15 Employment Judge: Murdo Macleod  
Date of Judgment: 30 September 2019  
Entered in register: 01 October 2019  
and copied to parties