



EMPLOYMENT TRIBUNALS

Claimant: Mr C Bereanu

Respondents: Opentrade Global Ltd (1)

HM Revenue and Customs (2)

JUDGMENT

- (1) The unfair dismissal complaint is struck out.
- (2) The complaints brought against the second respondent are struck out.
- (3) The remaining complaints of race discrimination, notice pay, wages and holiday pay against the first respondent are unaffected and a preliminary hearing will be conducted to consider the case management steps which it shall be necessary to take.

REASONS

1. On 17 March 2021 the tribunal wrote to the parties to warn the claimant that it was proposing to strike out the (1) unfair dismissal complaint (because it appeared that he was not employed by the first respondent for at least two years as required under section 108 of the Employment Rights Act 1996 and nor that any of the specific circumstances for which there is no requirement for qualifying service applied and he was not therefore entitled to bring such a complaint) and (2) the complaints brought against the second respondent (because it appeared that the claimant was neither employed nor engaged by the second respondent so that the tribunal has no jurisdiction to consider these complaints).
2. The claimant was ordered to write to the tribunal by 7 April 2021. In replying to the tribunal on 6 April 2021, the claimant failed to give any acceptable reasons why these complaints should not be struck out.

Employment Judge Khan

19.04.2021

JUDGMENT SENT TO THE PARTIES ON

20/04/21.

FOR THE TRIBUNAL OFFICE