

# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Bailey Millard

**Respondent:** Peter Ray Design Limited

## JUDGMENT

The complaints that the Claimant was unfairly dismissed and was discriminated against on grounds of age are 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 two years' service to make an unfair dismissal complaint. The claimant was employed by the respondent for less than two years. Therefore, the claimant is not entitled to bring such a complaint.
5. By letter dated 6 May 2022 the tribunal asked the claimant to give reasons why his complaint of unfair dismissal should not be struck out. No reply has been received. Accordingly, the claim for unfair dismissal is struck out.
7. The claimant has also ticked the box to claim age discrimination. In the same letter dated 6 May 2022 the claimant was required to provide 'a clear numbered list of the age discrimination acts he is alleging'. He has failed to do so.
8. Accordingly, the claim for age discrimination is struck out on the grounds that it has not been actively pursued.
9. The claimant's other complaints are not affected by this judgment. His claims for notice pay, holiday pay and for other payments will proceed to a hearing. A date for hearing will be sent out as soon as possible.

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Employment Judge Siddall

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Date 28 September 2022