



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr J Morris

**Respondent:** Yumilicious Ltd

## JUDGMENT

### Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The claim was issued in the London East Employment Tribunals on 29 December 2022. The respondent has failed to present a valid response on time. The Employment Judge has decided that a determination can properly be made of the claim, or part of it, in accordance with rule 21 of the Rules of Procedure.
2. The complaint that the claimant was unfairly dismissed is struck out.
3. 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.
4. The claimant was employed by the respondent for less than two years.
5. Therefore, the claimant is not entitled to bring such a complaint.
6. The claimant has failed to give an acceptable reason, despite being given the opportunity to do so, why the complaint should not be struck out.
7. Accordingly, the complaint of unfair dismissal is struck out.
8. The respondent has made unauthorised deductions from the claimant's wages and must pay the claimant £880.00 gross.
9. I calculate the amount of payment on a gross basis, but the respondent is entitled to make any deductions which are due for tax and national insurance contributions before payment is made to the claimant.

Employment Judge Lewis

31 March 2023