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EMPLOYMENT TRIBUNALS

Claimant: Mr D Winskill

Respondents: (1) Smartpark and SMG Meet and Greet
(2) Smart Vehicle Storage Limited

Heard at: East London Hearing Centre (in private, by telephone)

On: 26 October 2023

Before: Employment Judge Moor

Appearances

For the Claimant: did not attend
For the Respondents: did not attend

JUDGMENT

1. The complaint of **unfair dismissal** is struck out.
2. The claim for unpaid wages continues to a hearing.

REASONS

1. A hearing was listed to clarify the unfair dismissal claim today but the Claimant did not attend and take that opportunity.
2. I have decided that it is clear from the claim form that the Claimant's complaints about wages came after he was dismissed.
3. Section 108 of the Employment Rights Act 1998 requires that an employee has two years of continuous employment before he has the right to complain about unfair dismissal.
4. The Claimant did not have two years' employment. He was employed, on his own case, from 2 May 2023 to 7 May 2023.
5. I therefore strike out the unfair dismissal claim as having no reasonable prospect of success.

6. The unpaid wages claim continues to a final hearing on 9 January 2024 at 12 noon.

Employment Judge Moor

26 October 2023