



EMPLOYMENT TRIBUNALS

Claimant: Mr. P Gascoine

Respondent: Ottimo Restaurants Limited

JUDGMENT

1. The complaint of unfair dismissal is struck out.
2. The complaint of a failure to pay a redundancy payment is struck out.
3. The complaint of unauthorised deductions from wages is struck out.

REASONS

1. The claimant complains of unfair dismissal and a failure to pay a redundancy payment. Both of those complaint requires a claimant to have not less than two years service to make an unfair dismissal complaint.
2. The claimant has confirmed by way of an email dated 15th March 2023 that he was employed by the respondent for less than two years. Therefore the claimant is not entitled to bring those complaints and they are struck out.
3. The claimant also complains of unpaid wages. The claimant was directed to set out a calculation of what was being claimed in that regard on 12th May 2023. The claimant did not comply with that Order and was issued with a warning that his claim may be struck out if he did not do so within 7 days of 24th August 2023. The claimant did not reply to that letter and has not actively pursued this part of the claim. It is therefore struck out.
4. In addition, the complaint of unauthorised deductions from wages appears to be a duplicate of the claim issued under case number 2600161.2023 for which Judgment in the claimant's favour has already been issued.

Case no: 2600166/2023

5. For those reasons this claim under case number 2600166.2023 is struck out. The Judgment under case number 2600161.2023 is unaffected.

Employment Judge **Heap**
Date: 22nd November 2023