



EMPLOYMENT TRIBUNALS

London South Employment Tribunal

13 June 2024 (video)

Claimant: Oskar Bunsch

Respondent: Woodland Commercial Ltd [1]
Indigo Services Europe Ltd [2]

Before: Judge M Aspinall (sitting alone as an Employment Judge)

Appearances: Mr O Bunsch (in person)
Ms I Splavska (for the First Respondent) with Mr Turpin assisting

Judgment

UPON having heard from the parties and on considering the information and material to which I was referred, I find

1. The Second Respondent, *Indigo Services Europe Ltd*, was added as a party at an earlier case management hearing. The company has since been dissolved and it no longer exists. At the preliminary hearing on 13 June 2024, the Claimant confirmed he had not made any application to the High Court for Indigo Services Europe Ltd to be reinstated to the Register of Companies. As the company cannot now participate or respond, the claims against the Second Respondent are dismissed.
2. The Claimant brought a claim for ordinary unfair dismissal. However, under Section 108 of the Employment Rights Act 1996, to bring such a claim an employee is required to have been continuously employed for a minimum of 2 years. The Claimant's period of engagement with the First Respondent was around 6 months at most, from late March to early September 2022. As he does not have the requisite length of service, the claim for ordinary unfair dismissal is dismissed.
3. The Claimant ticked the box for a redundancy payment claim in his ET1 claim form. However, to qualify for a redundancy payment under the Employment Rights Act 1996, an employee must again have 2 years' continuous service. As the Claimant did not have the requisite minimum service, he is not eligible for a redundancy payment regardless of his employment status. The claim is therefore dismissed.

**Judge M Aspinall
15th June 2024**

**Sent to parties on:
31st July 2024**

FOR THE TRIBUNAL OFFICE