



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr L Wareham

**Respondent:** KSDW Ltd

## JUDGMENT

The complaint that the Claimant was unfairly dismissed is struck out.

The complaints of wages due, failure to provide a contract of employment and failure to provide pay slips **succeed** as the Respondent has not presented a response to the claims.

The case remains listed for a Hearing to determine remedy. The time allocated to determine remedy is reduced from two days to 3 hours. The Remedy Hearing will take place on 17 June 2019 at Southampton Magistrates' Court, 100 The Avenue, Southampton, SO17 1 EY at 10:00am.

## 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.
3. The Claimant was employed by the Respondent for less than two years.
4. Therefore, the Claimant is not entitled to bring such a complaint.
5. 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.
6. Accordingly, the complaint of unfair dismissal is struck out.
7. The Respondent has not presented a response to the claims of wages due, failure to provide a contract of employment and failure to provide pay slips. Remedy will be determined at a 3 hour Remedy Hearing on 17 June 2019.

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Employment Judge Harper  
Date: 29<sup>th</sup> October 2018  
JUDGMENT SENT TO THE PARTIES ON  
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FOR THE TRIBUNAL OFFICE