



EMPLOYMENT TRIBUNALS

Claimant: Mr M Beech

Respondent: Samson Security

JUDGMENT

The claim is struck out.

REASONS

1. Rule 37 of the Employment Tribunal Rules of Procedure 2013 gives the tribunal the power to strike out a claim on various grounds. These grounds include the claim not being actively pursued. They also include the claim having no reasonable prospect of success.
2. Under section 108 of the Employment Rights Act 1996 an employee does not have the right to bring a complaint of unfair dismissal unless they have been continuously employed for two years ending with the effective date of termination. There are exceptions to this rule, but no such exception appears to apply in this case.
3. The tribunal wrote to the claimant on 10 August 2020, 29 January 2021 and 18 March 2021 giving the claimant the opportunity to make representations as to why his claim should not be struck out, or to request that the question of striking-out be determined at a hearing. The latest of these letters indicated that one of the proposed grounds for striking out the claim was that the claim was not being actively pursued.
4. The claimant has not replied to any of these letters.
5. The claim is therefore struck out.

Employment Judge Horne
12 April 2021

SENT TO THE PARTIES ON

16 April 2021

FOR THE TRIBUNAL OFFICE

Note:

The “Code P” in the heading to this judgment indicates that the judgment was issued without a hearing.