



EMPLOYMENT TRIBUNALS

Claimant: Mr. S. Jaundrill

Respondents: Rococo Chocolates London Ltd

**London Central
Employment Judge Goodman**

On: 1 June 2020

JUDGMENT

1. The claim of unfair dismissal is dismissed for want of qualifying service.
2. The respondent's time to respond to the claim of discrimination because of sexual orientation is extended to Friday 3 July.
3. The preliminary hearing for case management is postponed to Monday 20 July 2020.
4. The case remains in the list for final hearing on 26-28 October 2020.

REASONS

1. Claims for unfair dismissal and sexual orientation discrimination were presented to the tribunal on 7 February 2020. On form ET1 the claimant entered the start and end date of his employment. From this it appeared he had been employed for one year at dismissal.
2. The claim form was sent to the respondent on 19 February 2020. In two letters of that date, the parties were advised of a preliminary hearing on 9 June and a final hearing on 26-28 October.
3. In a third letter of 19 February, the claimant was asked to show cause, by writing before 18 March, why his unfair dismissal claim should not be struck out as he did not have the two years' service required by the Employment Rights Act section 108 to bring an unfair dismissal claim. The respondent as told it need not respond to the unfair dismissal claim at that stage.
4. The claimant did not reply. It appears that nothing further occurred, perhaps because of administrative staff disruption and shortages caused by Covid 19 restrictions.
5. The respondent has not responded to either claim.
6. In the absence of any information from the claimant, the unfair dismissal claim is dismissed. The sexual orientation discrimination claim proceeds because not subject to any qualifying service requirement.

- 7. There being insufficient time for the respondent to respond before the case management hearing, that is postponed to 20 July.**
- 8. The final hearing remains to be held on 26-28 October as originally notified.**

Employment Judge Goodman

Date 1 June 2020

JUDGMENT SENT TO THE PARTIES ON

2 June 2020

FOR THE TRIBUNAL OFFICE

Note

Reasons for the decision having been given orally at the hearing, written reasons will not be provided unless requested within 14 days of this written record of the decision being sent to the parties.