



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No's: 4110213/2021 & 4110214/2021**

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**Held in Edinburgh (by CVP) on 7 February 2022**

**Employment Judge B Beyzade**

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**Mr. I Burca**

**First Claimant  
In person**

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**Mr. N Burca**

**Second Claimant  
In person**

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**Woods Interiors Ltd**

**Respondent  
Not present and  
not represented**

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**JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

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**1. The judgment of the Tribunal is that:**

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1.1. The first claimant's claim of unfair dismissal is dismissed as the Tribunal does not have jurisdiction to hear the claim because the claimant was employed by the respondent for less than two continuous years ending with the effective date of termination, contrary to the service requirement at section 108 of the Employment Rights Act 1996 ("ERA 1996");

1.2. The second claimant's claim of unfair dismissal is dismissed as the Tribunal does not have jurisdiction to hear the claim because the claimant was employed by the respondent for less than two continuous years ending with the effective date of termination, contrary to the service requirement at section 108 of the ERA 1996;

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1.3. The Tribunal has jurisdiction to hear the first claimant's claim under section 13 of the ERA 1996. The first claimant was a worker within the meaning of section 230 of the ERA 1996;

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1.4. The Tribunal has jurisdiction to hear the second claimant's claim under section 13 of the ERA 1996. The second claimant was a worker within the meaning of section 230 of the ERA 1996;

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1.5. The claimants' claims for unlawful deduction of wages shall proceed to a final hearing by Cloud Video Platform to be listed **at 10.00am on 10 March 2022** before an Employment Judge sitting alone. The parties must send a copy of all documents that they wish to rely on at the final hearing to all other parties **by not later than 4pm on 21 February 2022**. The claimants shall prepare a Joint File of Productions containing all the documents that the parties wish to use or refer to at the final hearing and send the file to the Tribunal **by not later than 4pm on 28 February 2022**.

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**REASONS**

1. Oral reasons were given for this judgment at the end of the hearing held via Cloud Video Platform ('CVP') hearing.

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**Employment Judge: B Beyzade**  
**Date of Judgment: 07 February 2022**  
10 **Entered in register: 21 February 2022**  
**and copied to parties**

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20 *I confirm that this is my judgment in the case of 4110213/2021 & 4110214/2021 (1) Mr I Burca (2) Mr N Burca v Woods Interiors Ltd and that I have signed the order by electronic signature.*

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Note - Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.