



EMPLOYMENT TRIBUNALS

Claimant: Mr D Jackson

Respondent: Auberge Brasserie

JUDGMENT

The complaint of unfair dismissal struck out.

REASONS

1. The claim form includes a complaint of unfair dismissal.
2. Section 108 of the Employment Rights Act 1996 requires a claimant to have not less than two years' continuous employment to make an unfair dismissal complaint. There are limited exceptions listed in section 108(3), but this case does not appear to be one of them.
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 of unfair dismissal should not be struck out.
6. This judgment does not affect the remainder of the claimant's claim.

Employment Judge Horne
4 December 2020

SENT TO THE PARTIES ON
15 December 2020

FOR THE TRIBUNAL OFFICE

Note:

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