



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs L O'Dwyer

**Respondent:** Defence Equipment & Support (de&s) A Bespoke Trading Entity Of The Ministry Of Defence

## JUDGMENT

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

## REASONS

1. The Claimant has complained 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 and she is therefore not entitled to bring such a complaint.
4. The Claimant has failed to give an acceptable reason why the complaint should not be struck out, despite having been given the opportunity to do so.
5. Accordingly, the complaint of unfair dismissal is struck out.
6. The Claimant's other complaints are not affected by this judgment.

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Employment Judge Livesey

Date: 4<sup>th</sup> January 2019