



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs M Garbera

**Respondent:** Appestat Ltd

## JUDGMENT

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

## REASONS

1. One of the claimant's complaints is 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. According to the claimant's claim form, the claimant was employed by the respondent from 21 October 2018 to 4 April 2019, which is for less than two years.
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 should not be struck out.
6. Accordingly, the complaint of unfair dismissal is struck out. The claimant's other complaints are not affected by this judgment.

**Employment Judge E Burns**  
**5 December 2019**

JUDGMENT SENT TO THE PARTIES ON

17/12/2019

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FOR THE TRIBUNAL OFFICE