



EMPLOYMENT TRIBUNALS

Claimant Miss A Geslere

Respondent: Haywood & Padgett Ltd

JUDGMENT

1. The complaint of unfair dismissal is dismissed.
2. The complaint of harassment related to age will proceed unaffected by this Judgment.

REASONS

1. The claimant was only employed by the respondent for 15 weeks.
2. The right not to be unfairly dismissed will not apply to an employee unless she has been continuously employed for a period of not less than two years ending with the effective date of termination – see Employment Rights Act 1996 section 108.
3. Whilst there are exceptions to that rule (see section 108(3)) none apply in this claim.
4. At a case management hearing conducted on 2 March 2020 the claimant accepted that she did not have sufficient length of employment to bring an unfair dismissal complaint and she realised that in these circumstances her unfair dismissal complaint would have to be dismissed – not on its merits but simply because the Tribunal does not have jurisdiction to hear that complaint in the circumstances which apply to her case.

5. Whilst the claimant was not complaining that her dismissal had been discriminatory, she is pursuing a complaint that she was subjected to unwanted conduct (harassment) related to age and nothing in this Judgment affects the continuation of that complaint as matters stand.

Employment Judge Little
Date 5th March 2020