



# EMPLOYMENT TRIBUNALS

**Claimant**

**Respondent**

Mr H Clarke

v

Birmingham City Council (1)

Ms L Ariss (2)

**Heard at:** Birmingham

**On:** 26 March 2020

**Before:** Employment Judge Johnson

**Appearances**

**For the Claimant:** in person

**For the Respondent:** Mr Johnston (counsel)

## JUDGMENT

1. The second respondent Ms L Ariss be removed from the proceedings as a party.
2. The complaint of constructive unfair dismissal be dismissed because the claimant had not been continuously employed for a continuous period of two years and the Tribunal does not have jurisdiction to hear it in accordance with section 108 of the Employment Rights Act 1996.
3. The complaint of age discrimination is dismissed upon withdrawal by the claimant
4. The complaint of sex discrimination is unaffected by this judgment and will continue in these proceedings.

Signed by: Employment Judge Johnson

Signed on: 26 March 2020

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.