



EMPLOYMENT TRIBUNALS

Claimant: Miss C Wrigley

Respondent: Ian Daniel Stafford

JUDGMENT

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

REASONS

1. The claimant's claim 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' service to make an unfair dismissal complaint.
3. 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. Even if the claimant satisfied the Tribunal that she was employed by the respondent rather than being self-employed, that employment was for less than two years. That is so even if the whole of the period from April 2018 to 13 February 2020 plus 4 weeks' notice during which the claimant says she was employed is taken into account.
4. Therefore, the claimant is not entitled to bring such a complaint.
5. Accordingly, the complaint of unfair dismissal is struck out.
6. The claimant's other complaints relating to holiday pay and other payments she says are due to her from the respondent are not affected by this judgment and will be discussed at the preliminary hearing on 3 June 2020.

Employment Judge McDonald

Date: 17 April 2020

JUDGMENT SENT TO THE PARTIES ON

24 April 2020

Case No: 2401210/2020

FOR THE TRIBUNAL OFFICE