



EMPLOYMENT TRIBUNALS

Claimant: Ms C Smith

Respondents: (1) EPP Enterprise Ltd (currently dissolved)
(2) Careerwise Consultancy Ltd

JUDGMENT

The complaint of **unfair dismissal** is struck out.

REASONS

1. In the preliminary hearing dated 7 May 2020, EJ Gardiner ordered the Claimant to write to the Tribunal within 14 days to explain why her unfair dismissal complaint should not be struck out on the basis that she was employed for less than 2 years. The Claimant has failed to do so.
2. In her ET1 claim form the Claimant states that she was employed from 1 October 2017 to 13 September 2019. There has been no response to the claim by the 1st Respondent and the 2nd Respondent's response is that it never employed the Claimant.
3. The Claimant did not have 2 years' service with her employer as set out in section 108 of the Employment Rights Act 1996, at the date of termination of her employment.
4. The complaint of unfair dismissal has no reasonable prospect of success.
5. The Tribunal has no jurisdiction to hear it.
6. The claimant has failed to make representations in writing, or has failed to make any sufficient representations, why this should not be done or to request a hearing. The complaint of unfair dismissal is therefore struck out.

7. The claimant's remaining claim(s) of failure to pay notice pay, arrears of pay and a failure to pay holiday pay remain. The Tribunal will notify the parties in due course of the dates that these claims are listed for hearing.

Employment Judge **JONES**

Date: 5 August 2020