



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr B Charlton

**Respondent:** Neighbourhood Food Larder

## JUDGMENT

The claim is struck out.

## REASONS

1. The claim form contains a complaint of unfair dismissal. The claimant also ticked a box to indicate a claim for “other payments”, but did not make clear what other kind of legally-recognisable claim he was bringing.
2. Section 108 of the Employment Rights Act 1996 requires a claimant to have not less than two years’ continuous employment to make an unfair dismissal complaint. There are limited exceptions listed in section 108(3).
3. The claimant was employed by the respondent for less than two years. The information in the claim form is insufficient to enable the tribunal to know whether or not the claimant is relying on any of the section 108(3) exceptions.
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.

Employment Judge Horne  
30 November 2020

SENT TO THE PARTIES ON  
14 December 2020

FOR THE TRIBUNAL OFFICE

Note:

The “Code P” in the heading to this judgment indicates that the judgment was issued without a hearing.