



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs T Davis

**Respondent:** Romac Logistics Ltd

## JUDGMENT

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

## REASONS

1. The claimant complains 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 was employed by the respondent for less than two years.
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. Nothing in the correspondence from the claimant demonstrates either that she had two years' service; or that she was claiming based upon a reason which does not require such service.
6. Accordingly, the complaint of unfair dismissal is struck out.
7. The claimant's other complaints are not affected by this judgment.

Employment Judge Phil Allen

Date: 18 February 2021

JUDGMENT SENT TO THE PARTIES ON

22 February 2021

**Case No: 2415478/2020**

FOR THE TRIBUNAL OFFICE