



# EMPLOYMENT TRIBUNALS

**Claimant:** Mrs M Bata

**Respondent:** Elior

## 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's explanation of her claim in her email dated 9<sup>th</sup> February 2021 does not bring her within any of the exceptions of the two year rule.
6. Accordingly, the complaint of unfair dismissal is struck out. The claimant's other complaints are not affected by this judgment.

Employment Judge Gardiner

Date: 25.02.21