



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4108034/2020

Employment Judge Kemp

Miss M Gemmell

**Claimant
In person**

Saltire Facilities Management Ltd

**Respondent
Represented by:
Mr S Jagpal,
Consultant**

JUDGMENT

That part of the Claim Form relating to a claim of unfair dismissal under section 94 of the Employment Rights Act 1996 is struck out under rule 37 of the Rules contained in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 on the ground that it has no reasonable prospect of success in light of the lack of jurisdiction, in terms of rule 37(1)(a).

REASONS

1. In her Claim Form the claimant sought to make a claim of unfair dismissal under section 94 of the Employment Rights Act 1996. To do so, section 108 of the Act requires a claimant to have two years' continuous employment.
2. The claimant was employed by the respondent, as she accepted in the hearing before me, from 9 September 2020 to 11 November 2020. She does not

therefore have the necessary service and the Tribunal does not have jurisdiction over the claim as to unfair dismissal under section 94.

3. For the avoidance of doubt the other claims referred to in the Note following the hearing on 4 March 2021 are not affected by this Judgment.

Employment Judge: Sandy Kemp
Date of Judgment: 09 March 2021
Entered in register: 23 March 2021
and copied to parties