



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 4110249/2021 (A)

**Held in Glasgow on 26 January 2022
(Preliminary Hearing conducted remotely by telephone conference call)**

Employment Judge Ian McPherson

Miss Joanne Byrne

**Claimant
Represented by:
Mr John Lee
Solicitor**

Go-Centric Limited

**1st Respondent
Represented by:
Mr Joe Thornhill
Solicitor**

Pursuit Marketing Limited

**2nd Respondent
Represented by:
Mr David Reid
Solicitor**

JUDGMENT

- (1) The claimant's complaint of unfair dismissal by the respondents, contrary to **Section 94 of the Employment Rights Act 1996**, having been withdrawn by the claimant's representative, at this Preliminary Hearing, in terms of **Rule 51 of the Rules contained in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013**, it being accepted that the claimant does not have 2 year's qualifying service to make such a

complaint, as required by **Section 108 of the Employment Rights Act 1996**, that part of the claim against both respondents, as also any head of complaint alleging automatically unfair dismissal, as per her additional information provided on 26 October 2021, is dismissed by the Tribunal under **Rule 52**.

- (2) The remaining parts of the claim brought by the claimant, complaining of failure to inform and consult under the **TUPE Regulations 2006**, and unlawful age discrimination by the respondents, contrary to the **Equality Act 2010**, are unaffected by this part-withdrawal, and those heads of complaint will proceed as separately ordered by the Tribunal, in a written Note and Orders issued under separate cover.

Employment Judge: Ian McPherson
Date of Judgment: 28 January 2022
Entered in register: 01 February 2022
and copied to parties