



EMPLOYMENT TRIBUNALS

Claimant: Miss R Begum

Respondent: Boots Opticians Recruitment Team

JUDGMENT

The claim is struck out.

REASONS

1. The claimant complains of unfair dismissal and breach of contract.
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. Article 3 (c) of the Employment Tribunals Extension of Jurisdiction Order (England and Wales) 1994 provides that a breach of contract claim may only be brought in the tribunal if it arises of or is outstanding on termination of the employee's contract.
5. There was no contract of employment in existence, upon termination of which this claim could have arisen, but the Claimant has in any event been paid the equivalent of 1 weeks' notice.
6. Therefore, the claimant is not entitled to bring such complaints.
7. The claimant has failed to give an acceptable reason, despite being given the opportunity to do so in a letter dated 13th October 2021, why the complaints should not be struck out.
8. The Claimant has also failed to respond to the Tribunal's letter dated 29th October 2021.
9. The claim is not being actively pursued
10. Accordingly, the complaints are struck out.

Employment Judge Lancaster
Date: 11th November 2021
JUDGMENT SENT TO THE PARTIES ON
23 February 2021

Olivia Vaughan
FOR THE TRIBUNAL OFFICE