



EMPLOYMENT TRIBUNALS

Claimant: Mr Richard Burke

Respondent: East of England Ambulance Service NHS Trust

JUDGMENT

The Claimant's claim is struck out.

REASONS

1. The Claimant has brought a claim for unfair dismissal, although he was not continuously employed by the Respondent for a period of not less than two years, as required by section 108(1) Employment Rights Act 1996. Although, in section 8.1 of his claim form, the Claimant stated that he was owed other payments, this appears to be a reference to claiming compensation for unfair dismissal, as set out in section 9.1 and 9.2 of his ET1 claim form.
2. In section 5.1 of his claim form the Claimant stated that his employment with the Respondent started on 7 January 2019 and ended on 20 August 2019.
3. By letters dated **4 November 2021 and 14 February 2022** the Tribunal gave the claimant an opportunity to make representations or to request a hearing, as to why the complaint of **unfair dismissal** should not be struck out because you were employed for less than two years.
4. Although the Claimant replied to the Tribunal's letter, by email dated 22 February 2022, nothing in that email contained any suggestion that the Claimant's claim fell within any of the exceptions to the rule that the Tribunal only has jurisdiction to consider a claim where the Claimant has been continuously employed by the Respondent for not less than two years.
5. I consider, therefore, pursuant to Rule 37(1)(a) of the Employment Tribunals Rules of Procedure 2013, that the claim has no reasonable prospect of success.

6. The Preliminary Hearing fixed for **20 June 2022** will not take place.

Employment Judge Goodrich

3 March 2022