



EMPLOYMENT TRIBUNALS

Claimant: Miss B Owens

Respondent: Next

JUDGMENT

The complaint that the claimant was constructively unfairly dismissed is struck out.

REASONS

1. The claimant complains of unfair dismissal. A constructive unfair dismissal complaint is a type of unfair dismissal complaint.
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, unless there are special circumstances that appear not to apply in this case.
3. At the Tribunal's request, the claimant wrote to the Tribunal on 1 April 2022 explaining why she believes she was constructively dismissed. However, even if she was constructively dismissed, that would not help her claim because she was employed by the respondent for less than two years.
4. Therefore the claimant is not entitled to bring a constructive unfair dismissal complaint.
5. Accordingly, the complaint of unfair dismissal is struck out. The claimant's other complaints are not affected by this judgment. However, the Tribunal is making some case management orders about those complaints separately.

Employment Judge Camp
Date: 4 April 2022

JUDGMENT SENT TO THE PARTIES ON
5 April 2022