



EMPLOYMENT TRIBUNALS

Claimant: Mr L Turner

Respondent: Qasim International Limited

JUDGMENT

The complaint of unfair dismissal only is struck out.

REASONS

1. The claimant complains of unfair dismissal.
2. Section 108 Employment Rights Act 1996 requires a claimant to have not less than two years' service to make an unfair dismissal complaint. According to the claim form the claimant was employed by the respondent for less than two years. Therefore, the claimant is not entitled to bring these proceedings.
3. In his response to the strike-out warning, the claimant refers to his long-standing mental health issues and his view that he was dismissed to avoid dealing with the issues he raised and making reasonable adjustments for disability. Those points would be relevant if he had brought a complaint of disability discrimination, or were complaining that his dismissal was discriminatory, but he has not done so. His disability and any failure to make reasonable adjustments do not prevent the two-year qualifying period from applying. The claimant has therefore not identified an acceptable reason why the unfair dismissal complaint should not be struck out.
4. Accordingly, the unfair dismissal complaint is struck out.

Employment Judge Davies

Date: 3 May 2022

JUDGMENT SENT TO THE PARTIES ON

Date: 4 May 2022