



EMPLOYMENT TRIBUNALS

Claimant: Mr B Ahmad

Respondent: Breathe Services Limited FAO Adam Muhammad

JUDGMENT

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

REASONS

1. The claimant complains of unfair dismissal.
2. Section 108 of the Employment Rights Act 1996 creates the general rule that an employee must have not less than two years' continuous employment to make an unfair dismissal complaint.
3. There are exceptions to this rule. From the information supplied in the claim form and in the claimant's e-mail of 3 March 2023 none of the exceptions appears to apply in this case.
4. The claimant was employed by the respondent for less than two years.
5. Therefore the claimant is not entitled to bring a complaint of unfair dismissal.
6. The claimant has failed to give an acceptable reason, despite being given the opportunity to do so, why the complaint should not be struck out.
7. Accordingly, the complaint of unfair dismissal is struck out. **The claimant's other complaints are not affected by this judgment.**

Employment Judge Horne
23 June 2023

JUDGMENT SENT TO THE PARTIES ON

3 July 2023

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FOR THE TRIBUNAL OFFICE