



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr Lister

**Respondent:** Woolovers

## JUDGMENT

The claimant's applications dated 28 June 2023, 30 June 2023, 1 July 2023, for reconsideration of the judgment sent to the parties on 21 June 2023 dismissing his claim of unfair dismissal is refused. The claim of wrongful dismissal (notice pay) may proceed.

## REASONS

There is no reasonable prospect of the original decision being varied or revoked, because 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. The claimant was employed by the respondent for less than two years. Therefore, the claimant is not entitled to bring these proceedings. 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. Accordingly, the claim of unfair dismissal is struck out.

The claimant's claim alleging the respondent has failed to pay him notice pay was permitted to proceed by order of the tribunal dated 28 June 2023 and directions have been made in respect of continuance of that part of the claim.

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Employment Judge Taylor  
Date: 3 July 2023