



EMPLOYMENT TRIBUNALS

Claimant: Ms Dias Cardoso

Respondent: EPL Foods Limited

JUDGMENT

The claimant's claims in their entirety are struck out.

REASONS

1. The claimant complains of unfair dismissal.
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.
3. The claimant was employed by the respondent for less than two years. Therefore, the claimant is not entitled to bring such a complaint.
5. 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.
6. Accordingly, the complaint of unfair dismissal is struck out.
7. The claimant's remaining complaints of unauthorised deductions from wages, wrongful dismissal, breach of contract and breach of the Working Time Regulations have been brought outside the statutory time limit of 3 months.
8. The claimant stated in her ET1 that the reason for submitting her claim late was pregnancy and a difficult birth. However, she has not provided any medical evidence or a full explanation of why this prevented her from bringing her claim during the period from her termination of employment on 16 June 2022 until 9 January 2023.
9. The Tribunal finds that it was reasonably practicable for the claims to be made in time and that in any event they were not made in a further reasonable period.
10. Accordingly, the remainder of the claimant's claims are struck out.

Employment Judge Rea
Date: 31 August 2023