



# EMPLOYMENT TRIBUNALS

**Claimant:** Miss C Stevens

**Respondent:** Timperley Village Dental Practice

**HELD AT:** Manchester (CVP)

**ON:** 14<sup>th</sup> September 2023

**BEFORE:** Employment Judge Kathryn Gibson  
(sitting alone)

**REPRESENTATION:**

**Claimant:** In person

**Respondent:** Miss Bairstow, Counsel

## JUDGMENT

The complaint of unfair dismissal is struck out and the case is at an end.

## REASONS

1. The claimant during the Hearing clarified her claim and confirms that she complains of unfair treatment.
2. The claimant has clarified that she is not claiming for notice pay (breach of contract), as this was paid to her. The only claim is unfair dismissal.
3. The claimant has also previously made a claim for unfair dismissal under case 2402919/2023. This claim was struck out, as the claimant did not have the required two years service, as per Section 108 of the Employment Rights Act 1996.
4. The claimant confirmed that she is bringing this case upon the same facts and issue, which was that of unfair treatment, but earnestly believed that if she ticked a different box on the ET1 under 'type and details of claim', that box being 'I am making another type of claim which the Employment Tribunal can deal with', the Tribunal would be able to hear her claim, since she believed the two years service would not apply.
5. Given that the claimant has already attempted to bring proceedings on the same grounds and she does not have two years service, the claimant is not entitled to bring these proceedings. The Tribunal has no jurisdiction to determine them.
6. Accordingly, the claim is struck out.

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Employment Judge Kathryn Gibson

14/09/2023

JUDGMENT SENT TO THE PARTIES ON  
21 September 2023

FOR THE TRIBUNAL OFFICE

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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