



EMPLOYMENT TRIBUNALS

Claimant: Mr E Maraziotis

Respondent: Gin and Olive Bars and Restaurants Southampton Ltd

JUDGMENT

1. The complaint that the claimant was unfairly dismissed is struck out.
2. The claim for a redundancy payment is struck out.

REASONS

1. The claimant complains of unfair dismissal and brings a claim for a redundancy payment.
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. Under section 155 of the Employment Rights Act 1996 employees do not have a right to a redundancy payment unless they were employed for two years or more except in certain specific circumstances.
3. The claimant was employed by the respondent for less than two years.
4. Therefore the claimant is not entitled to a redundancy payment or to bring a complaint of unfair dismissal.
5. The claimant has failed to give an acceptable reason, despite being given the opportunity to do so, why these complaints should not be struck out.
6. Accordingly, the complaint of unfair dismissal and the claim for a redundancy payment are struck out. The claimant's other complaints are not affected by this judgment.

Employment Judge Ferguson
Date: 27 September 2023

JUDGMENT SENT TO THE PARTIES ON
02 October 2023 By Mr J McCormick

FOR THE TRIBUNAL OFFICE