



EMPLOYMENT TRIBUNALS

Claimant: Mr J J Zipser

Respondent: TC Facilities Management Ltd

JUDGMENT

The claim is struck out.

REASONS

1. The claimant presented a claim 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. The exceptions that disapply that requirement are not engaged in this case.
3. On 26 September 2023 the claimant was invited to give reasons why his claim should not be struck out on the ground that he did not have the necessary period of 2 year's qualifying service. The claimant responded confirming he was initially engaged as an agency worker and became an employee on 14 April 2021 and that employment transferred to the respondent on 31 January 2022. His dismissal was effective on 30 March 2023 meaning he was employed by the respondent for less than two years. Therefore, the claimant is not entitled to bring these proceedings.
4. Accordingly, the claim is struck out.

Employment Judge Clark
Date: 27 October 2023