



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms J Boyle Prescott

**Respondent:** Cumberland Council (Paul Brodie, senior lawyer)

## JUDGMENT

The claim is struck out.

## REASONS

1. By a letter dated **25 October 2023** and **6 February 2024** the Tribunal gave the claimant an opportunity to make representations or to request a hearing, as to why the claim should not be struck out because
  - The claimant complains of unfair dismissal.
  - 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 is struck out.

\_\_\_\_\_  
1.3.24  
Employment Judge Shotter

JUDGMENT SENT TO THE PARTIES ON

18 March 2024

FOR THE TRIBUNAL OFFICE