



# EMPLOYMENT TRIBUNALS

**Claimant:** Precious Muzenda

**Respondent:** Hatwel Ltd trading as Caremark Hatfield and Welwyn

## JUDGMENT

The complaint of unfair dismissal is struck out.

## REASONS

1. By a letter dated 19 July 2023 and at the hearing on 4 April 2024 the Tribunal gave the claimant an opportunity to make representations as to why she has 2 years continuous service. The claimant agreed that she does not.
2. Under section 108 of the Employment Rights Act 1996 claimants are not entitled to bring a complaint of unfair dismissal unless they were employed for two years or more except in certain specific circumstances. These circumstances do not apply to the claimant's case. She was employed for less than two years. Therefore, the Tribunal cannot consider the complaint that the claimant was unfairly dismissed. For these reasons the claim of unfair dismissal is struck out.
3. The claimant's remaining claims remain listed and a case management hearing will take place on **25 July 2024**.

Employment Judge Hutchings  
Date Signed: 4 April 2024

JUDGMENT SENT TO THE PARTIES ON

07/05/2024

FOR THE TRIBUNAL OFFICE