



EMPLOYMENT TRIBUNALS

Claimant: Miss E Tofi

Respondent: Evans Turner (Finishes) Ltd

JUDGMENT

The complaint of unfair dismissal is struck out.

REASONS

1. The claimant complains 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.
3. The claimant's case as set out in her claim form is that her employment began on 21 March 2022 and terminated on 30 June 2023. That is to say her employment lasted for just over 1 year and 3 months.
4. The Tribunal wrote to the claimant on 12 December 2023 inviting her to give reasons why her complaint of unfair dismissal should not be struck out in light of the fact that she appeared to have been employed for less than two years.
5. In her response of 25 December 2023 to the Tribunal's letter requiring her to show cause why her claim should not be struck out, the claimant explained in details why she considered her treatment to be unfair but did not identify any circumstances which would result in the two-year service requirement not applying.
6. Therefore, the claimant has insufficient service to bring a complaint of unfair dismissal. Accordingly, her complaint of unfair dismissal has no reasonable prospect of success and is struck out on that basis under Rule 37 of the Employment Tribunal's Rules of Procedure.
7. The claimant's complaint of sex discrimination/harassment continues.

Employment Judge Evans
Date: 30 April 2024