



EMPLOYMENT TRIBUNALS

Claimant: Mr Ghilase

Respondent: Pphp Park Plaza Westminster

JUDGMENT

The claim 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 started employment with the respondent on 23 July 2019 and his employment was ended on 23 August 2020, he was therefore employed for less than two years.
4. On 4 June 2024 the claimant was sent a strike out warning and asked to provide reasons in writing as to why his claim should not be struck out. The claimant responded the same day referring to his claim form. He says that the reason his claim should not be struck out is because his employer promised that they would provide him with work after the pandemic but failed to do.
5. The only exception to the requirement to have two years' service is where the reason for the dismissal falls into one of the automatically unfair reasons. The reason provided by the claimant is not an automatically unfair reason and therefore the claimant is not entitled to bring these proceedings.
6. Accordingly, the claim is struck out.

Employment Judge **Hart**
Date: 6 June 2024