



# EMPLOYMENT TRIBUNALS

**Claimant:** Douglas Howe

**Respondent:** JM Hare Services Limited

## JUDGMENT

The judgment of the Tribunal is that:

1. The claim for unfair dismissal is dismissed pursuant to Rule 28 of the Employment tribunal rules of Procedure 2024 on grounds that the Tribunal has no jurisdiction to consider the claim.

## REASONS

2. The Claimant was employed by the Respondent from 01 October 2023 to 06 August 2024, on which date he resigned from his employment.
3. On 13 August 2024, he presented a Claim Form in which he complained that he had been unfairly dismissed. On 02 January 2025, the Tribunal wrote to him to inform him that I was considering dismissing the claim on the ground that he did not qualify for the right to bring such a claim as he had not been employed for at least two continuous years and that the Claim Form did not contain a complaint of unfair dismissal which did not require two years' employment under section 108(3) Employment Rights Act 1996.
4. The Claimant was directed to explain on what basis, if any, he contended the tribunal had jurisdiction to consider the claim of unfair dismissal. He was directed that if he wished to object to the proposal to dismiss the claim, he must give reasons in writing or request a hearing at which he could make any objections. The Claimant's reply did not object to the proposal and he did not request a hearing to make any such objections. He said only that the Respondent owed him holiday and that he took money for training that the Claimant did not want.
5. There is no dispute that the Claimant was employed for less than two years. It is clear that he does not qualify for the right to complain of unfair dismissal and that no exception applies in his case. Therefore, the Tribunal does not have the jurisdiction to adjudicate on his claim. There is no other claim on the ET1 and there has been no application to amend.

6. In the circumstances the proceedings are dismissed. The hearing listed for 21 January 2025 is cancelled.

Employment Judge Sweeney

Date: 20 January 2025