Case Number: 6020898/2024



## **EMPLOYMENT TRIBUNALS**

Claimant: Mr. K Singleton

Respondent: Lee Dale

## **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 was employed by the respondent for less than two years.
- 4. Therefore, the claimant is not entitled to bring these proceedings.
- 5. Whilst the claimant has given reasons that the claim should not be struck out because the respondent did not follow their own disciplinary process, that is not a sufficient reason as to why Section 108 Employment Rights Act 1996 is said not to apply to him.
- 6. Accordingly, the complaint of unfair dismissal is struck out. The claim of breach of contract is unaffected by this Judgment.

Approved by Employment Judge Heap Date: 31st January 2025