



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr E Kubilay

**Respondent:** B&M Retail Ltd

## JUDGMENT

1. The complaint that the claimant was unfairly dismissed is struck out.
2. The respondent must file a response to the other matters which (according to the Claimant) form part of the claim.

## 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, unless one of the specific exceptions apply.
3. The claim form implies that the claimant was employed by the respondent for less than two years.
4. Despite being given the opportunity to do so, the Claimant has not presented any argument that he was employed for at least two years or that one of the exceptions apply.
5. His email of 14 May 2024 (which was not seen by a judge prior to 17 June 2025) comments on why the Claimant believes that his claim should be allowed to continue, but the legislation is clear, and there is no reasonable prospect of an unfair dismissal complaint succeeding based on those arguments.
6. Accordingly, the complaint of unfair dismissal is struck out.
7. The claimant's other complaints (if any) are not affected by this judgment,

**Case No: 3302815/2024**

and taking account of the Claimant's 10 April 2025 email, the Respondent has been ordered to file a response.

Approved by:

**Employment Judge Quill**

Date: 17 June 2025.

JUDGMENT SENT TO THE PARTIES ON

26/06/2025

FOR THE TRIBUNAL OFFICE