



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr J Pinkney

**Respondent:** St Catherine's Catholic Primary school

## JUDGMENT

The complaint that the claimant was unfairly dismissed 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 such a complaint.
5. In his email to the tribunal, sent on 10 June 2025, the claimant explained that his claim of constructive unfair dismissal qualifies as automatically unfair because it is based on claims of disability discrimination and the respondent's failure to make reasonable adjustments pursuant to the Equality Act 2010.
6. The claimant has failed to give an acceptable reason why the complaint should not be struck out. The claimant's claims to not give rise to a claim for automatic unfair dismissal.
7. Accordingly, the complaint of unfair dismissal is struck out. The claimant's other complaints are not affected by this judgment.

Approved by:

**Regional Employment Judge Pirani  
8 July 2025**

JUDGMENT SENT TO THE PARTIES ON  
16 July 2025

Jade Lobb  
FOR THE TRIBUNAL OFFICE