



EMPLOYMENT TRIBUNALS

Claimant: M Da Silvia

Respondent: Staffline (1)

BMW (2)

JUDGMENT

The claim is struck out.

REASONS

1. The original claim form purported to include complaints other than unfair dismissal. Those complaints were rejected for the reasons given at the time. The application for reconsideration of that decision was rejected by order approved by EJ Anstis on 13 May 2025 and sent to parties on 30 May 2025.
2. By the same order, the Tribunal gave the claimant an opportunity to contact the Tribunal by **10 June 2025** to make representations or to request a hearing, as to why the claim should not be struck out because it had no reasonable prospects of success. In particular, EJ Anstis having given judgment in relation to the Claimant's interim relief application made an order which stated:

Under section 108 of the Employment Rights Act 1996 employees are not entitled to bring complaints of unfair dismissal unless they were employed for two years or more except in certain specific circumstances which do not seem to apply in the claimant's case (based on her claim form)

3. The claimant has failed to make representations in writing and has failed to ask for a hearing. It is appropriate and proportionate to strike out the unfair dismissal claim. The entire claim is therefore struck out.

Approved by:

Employment Judge Quill

Date: 24 August 2025

JUDGMENT SENT TO THE PARTIES ON

3 September 2025

FOR THE TRIBUNAL OFFICE