



EMPLOYMENT TRIBUNALS

Claimant: Miss J Sampson

Respondent: Massarella Restaurant

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. The claimant has failed to give an acceptable reason, despite being given the opportunity to do so, why the complaint should not be struck out. Her response to the tribunal's strike out warning raises a number of basis on which her treatment by the respondent may have been unlawful but none of those is, strictly speaking, an unfair dismissal claim.
6. Accordingly, the complaint of unfair dismissal is struck out. The claimant's other complaints (including any other complaints in respect of her dismissal) are not affected by this judgment.

Approved by Employment Judge Anstis
Date: 9 December 2025

JUDGMENT SENT TO THE PARTIES ON
27 January 2026

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FOR THE TRIBUNAL OFFICE