



EMPLOYMENT TRIBUNALS

Claimant: Ian Peters

Respondent: Commercial Services Group

JUDGMENT

The claim is struck out.

REASONS

1. The claimant brings claims for unfair dismissal and wrongful dismissal. He was employed by the respondent from 1 December 2024 until 6 May 2025. He was paid one month's salary in lieu of notice.
2. The Tribunal wrote to the claimant on 19 November 2025 warning them that the Tribunal was considering striking out the claim. This was because it appeared to the Tribunal, applying Rule 38 of the Employment Tribunal Procedure Rules 2024, that the claim had no reasonable prospect of success.
3. The letter gave the claimant an opportunity to explain why the claim should not be struck out, or to request a hearing at which to do so. The claimant replied on 25 November 2025, acknowledging that he had less than two years' continuous service and had been paid one month's salary in lieu of notice. He nonetheless argues that the process followed was not in accordance with his contract of employment and an unfair process was followed.
4. I am satisfied that the grounds for striking out the claim under Rule 38 apply, and that it would be in accordance with the overriding objective in Rule 3 to strike out the claim. This is because for a claim for unfair dismissal to be brought, an employee must have two years' continuous service; there are exceptions but none have been identified which apply here. As the claimant has only round six months' service, the tribunal does not have jurisdiction to consider his claim for unfair dismissal; it must therefore fail. In addition, in a claim for wrongful dismissal, no more than the employee's notice may be recovered. As he has been paid this, any claim would result in no damages being awarded.
5. The claim is therefore struck out.

Approved by:

Employment Judge Lumby

8 December 2025