



EMPLOYMENT TRIBUNALS

Claimant: Monali Mohite

Respondent: Westpak Group Limited

JUDGMENT

The complaint that the claimant was unfairly dismissed is struck out.

REASONS

1. The claimant complains of unfair dismissal.
2. Section 108(1) of the Employment Rights Act 1996 requires a claimant to have not less than two years' service to make an unfair dismissal complaint. The claimant was employed by the respondent for less than two years. Therefore, on its face, the claimant is not entitled to bring such a complaint. By a letter of 27 April 2026, the claimant was warned the Tribunal proposed to strike out the complaint of unfair dismissal on this basis.
3. There are exceptions to the above requirement within the other sub-sections of section 108 of the Employment Rights Act 1996. In her responses to the strike-out warning letter, the claimant has failed to identify (or provide an explanation that would allow the Tribunal to identify) a relevant exception. The claimant has thus failed to give an acceptable reason, despite being given the opportunity to do so, why the complaint of unfair dismissal should not be struck out.
4. Accordingly, the complaint of unfair dismissal is struck out. The claimant's other complaint in respect of holiday pay is not affected by this judgment.

Approved by:
Employment Judge Abbott
Date: 24 July 2026

Sent to the parties on:
Date: 29 July 2026