



EMPLOYMENT TRIBUNALS

Claimant: Austin Murley

Respondent: DI MEO'S RIVERSIDE LIMITED

JUDGMENT

The complaint of **Unfair Dismissal** is struck out.

REASONS

1. The Tribunal wrote to the claimant on 13 May 2026 warning them that the Tribunal was considering striking out part of the claim. This was because it appeared to the Tribunal, applying Rule 38 of the Employment Tribunal Procedure Rules 2024, that, in relation to that part,
 - The claim had no reasonable prospect of success; Under section 108 of the Employment Rights Act 1996 claimants are not entitled to bring a complaint of unfair dismissal unless they were employed for two years or more except in certain specific circumstances which do not seem to apply in your case.
 - It appears from your claim that you were employed for less than two years. If so, the Tribunal cannot consider your complaint that you were unfairly dismissed.
2. The letter gave the claimant an opportunity to explain why that part of the claim should not be struck out, or to request a hearing at which to do so. The claimant replied 28 May 2026.
3. I am satisfied that the grounds for striking out that part of the claim under Rule 38 apply, and that it would be in accordance with the overriding objective in Rule 3 to strike out that part of the claim.
4. That part of the claim is therefore struck out. The rest of the claim is not affected by this judgment.

Approved by:

Employment Judge Aspden

11 August 2026