



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr T Lycett

**Respondent:** Fivestars Limited

## JUDGMENT

The complaint of unfair dismissal is struck out.

## REASONS

By a letter dated 5<sup>th</sup> January 2022 the Tribunal gave the claimant an opportunity to make representations or to request a hearing, as to why the complaints of unfair dismissal and failure to pay a redundancy payment should not be struck out because:

1. 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.
2. The claimant was employed by the respondent for less than two years.
3. Therefore, the claimant is not entitled to bring such a complaint.
4. The claimant has failed to give an acceptable reason, despite being given the opportunity to do so following the letter from the Tribunal dated 5<sup>th</sup> January 2022, why the complaint should not be struck out.
5. Accordingly, the complaint of unfair dismissal and failure to pay a redundancy payment is struck out. The claimant's other complaints are not affected by this judgment.

Employment Judge Rayner  
Date: 13 March 2022

Judgment sent to parties: 11 April 2022

FOR THE TRIBUNAL OFFICE