



EMPLOYMENT TRIBUNALS

Claimant: Mr A Senior

Respondent: Fox Brother Limited

JUDGMENT

The complaint of unfair dismissal is struck out.

(This does not affect the claimant's ability to pursue the remainder of the claim.)

REASONS

1. The claimant was not continuously employed for two years ending with the effective date of termination.
2. Section 108 of the Employment Rights Act 1996 places a limit on the rights of employees to bring a claim of unfair dismissal. As a general rule, employees have no right to bring such a claim unless they were continuously employed for two years ending with the effective date of termination.
3. There are exceptions to the rule in section 108. These are set out in section 108 itself. None of the exceptions appear to apply in this case.
4. By a letter dated 21 July 2022, the Tribunal gave the claimant until 4 August 2022 to show cause why his complaint of unfair dismissal should not be struck out.
5. The claimant has not replied to that letter.
6. The complaint of unfair dismissal is therefore struck out.
7. This judgment does not affect the claimant's ability to complain that the respondent discriminated against him.

Employment Judge Horne
14 September 2022

JUDGMENT SENT TO THE PARTIES ON
21 September 2022

FOR THE TRIBUNAL OFFICE