



EMPLOYMENT TRIBUNALS

Claimant: Mr D Szawlowski

Respondent: Traffic Agents.com Ltd.

JUDGMENT

The complaints that the claimant was unfairly dismissed and/or entitled to a redundancy payment are struck out.

REASONS

1. The claimant complains of unfair dismissal.
2. 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.
3. The claimant was employed by the respondent for less than two years.
4. Therefore the claimant is not entitled to bring such a complaint.
5. The claimant has failed to give an acceptable reason, despite being given the opportunity to do so, why the complaint should not be struck out.
6. The claimant also claims a redundancy payment.
7. Section 155 of the Employment Rights Act 1996 similarly requires a claimant to have not less than two years service to make a claim for a redundancy payment.
8. It necessarily follows that this complaint too must be struck out in the absence of any acceptable reason why the two years service requirement does not apply to oust the tribunal's jurisdiction
9. Accordingly, the complaints of unfair dismissal and for a redundancy payment are both struck out. The claimant's other legally permissible complaints are not affected by this decision and are subject to a separate judgment.

Employment Judge Lancaster
Date: 26th September 2023