



EMPLOYMENT TRIBUNALS

Claimant: Ms S Siwek

Respondent: Whitbread Group plc

JUDGMENT

The complaint that the Claimant was unfairly dismissed is 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. None of the statutory exemptions to the requirement for 2 years' service are engaged. Notice was given to the Claimant to identify the exemption relied on but the response, dated 18 August 2018, does not identify a valid exemption and does not request a hearing.
6. Accordingly, the complaint of unfair dismissal is struck out. The Claimant's other complaints are not affected by this judgment.

Regional Employment Judge Hildebrand

Dated: 2 November 2018