



EMPLOYMENT TRIBUNALS

Claimant: Miss J Capewell

Respondent: Hays Travel

JUDGMENT

The complaint of **unfair dismissal** 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 and/or constructive 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. By a letter dated 25 January 2021 the Tribunal gave the claimant an opportunity to make representations or to request a hearing, as to why the complaint of **unfair dismissal** should not be struck out because:
 - the claimant was not employed by the respondent for two years or more, and is therefore not entitled to bring a complaint of unfair dismissal.
6. The claimant has failed to make representations in writing, or has failed to make any sufficient representations, why this should not be done or to request a hearing. The complaint of **unfair dismissal** is therefore struck out.
7. The claimant's remaining claims are unaffected by this judgment.

Employment Judge Bax

Date: 26 May 2021

Judgment sent to the Parties: 28 May 2021

FOR THE TRIBUNAL OFFICE