



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr I Smith

**Respondent:** The Council of the Isles of Scilly

## JUDGMENT

**The complaint that the claimant was unfairly dismissed made under under section 111 of the Employment Rights Act 1996 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. The claimant has confirmed that he is not bringing claims where there is no requirement for two years' service.
5. He has been given the opportunity to make representations.
6. The claimant is not entitled to bring this complaint. The Tribunal has no jurisdiction to consider the claim and it has no prospects of success.
7. Accordingly, the complaint of unfair dismissal is struck out. The claimant's other complaints under the Equality Act 2010 are not affected by this judgment.

**Employment Judge Street  
Date: 08 July 2021**

Judgment and Reasons sent to the Parties: 14 July 2021

FOR THE TRIBUNAL OFFICE