



EMPLOYMENT TRIBUNALS

Claimant: Mr J Donnelly

Respondent: Global Student Accomodation

JUDGMENT

The complaint of unfair dismissal is struck out.

REASONS

1. One of the claimant's complaints is unfair dismissal.
2. Section 108 of the Employment Rights Act 1996 requires a claimant to have had not less than two years service with the respondent to make most kinds of unfair dismissal complaint. The claimant's unfair dismissal complaint is not of a kind that he can make without two years service.
3. The claimant was employed by the respondent for less than two years. Therefore, he is not entitled to bring his unfair dismissal complaint.
4. The claimant has failed to give an acceptable reason, despite being given the opportunity to do so, why the unfair dismissal complaint should not be struck out.
5. Accordingly, the unfair dismissal complaint is struck out, on the basis that it has no reasonable prospects of success.
6. The claimant's wrongful dismissal / notice pay complaint is not affected. There will be a 2 hour final hearing to deal with that complaint. A notice of hearing and some case management orders will follow separately.

Employment Judge Camp

Decision date: 16 March 2021