



EMPLOYMENT TRIBUNALS

Claimant: Mr Y Straiotto

Respondent: Kiss The Hippo Coffee Ltd

JUDGMENT

The Claimant's claim of unfair dismissal is dismissed as the Claimant did not have two years' and the Tribunal has no jurisdiction to hear this claim.

REASONS

1. The Claimant was not employed by the Respondent for the two years necessary to bring a claim for unfair dismissal. His dates of employment were from 10 September 2018 to 21 December 2018. Acting Regional Judge Davies ordered at a preliminary hearing on 23 August 2019 that the Claimant sets out how he says the Tribunal can hear his claim of unfair dismissal notwithstanding his length of service.
2. The Claimant sent an email to the Tribunal on 16 September 2019 explaining that he considered he could rely on the automatically unfair dismissal provisions of the Employment Rights Act 1996 as he had been dismissed for reasons related to unlawful discriminatory acts.
3. The provisions relating to automatic unfair dismissal are contained in s98-104 of The Employment Rights Act 1996. This does not include dismissal for reasons related to unlawful discriminatory acts.
4. Therefore, as the Claimant has less than two years' service the Claimant's claim for unfair dismissal has no reasonable prospect of success as the Tribunal does not have jurisdiction to hear it and is dismissed. This does not affect the Claimant's other claims which will proceed to hearing.

Employment Judge Martin
Date: 03 December 2019