



# EMPLOYMENT TRIBUNALS

**Claimant:** Dr R Vanga

**Respondent:** University of Hull

## 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. The claimant has failed to give an acceptable reason, despite being given the opportunity to do so, why the complaint should not be struck out. In compliance with the Order made on 11 November 2020 the claimant did write to the Tribunal on 5 December 2020 enclosing a document in which he sought to show cause why his unfair dismissal complaint should not be struck out. In that document the claimant essentially reiterates the reasons why he believes that his dismissal was unfair. With respect, that is not the relevant question now being considered. The relevant question is whether the Tribunal has jurisdiction to hear a complaint of unfair dismissal. It is undeniably the case that the claimant did not have the requisite two years' service and it is equally clear that the claimant is not pursuing any of the types of unfair dismissal complaint where two years' service is not required. Despite striking out the unfair dismissal complaint, the complaint whereby the claimant contends that the failure to extend his fixed term contract was allegedly because of race discrimination can proceed.

6. Accordingly, the complaint of unfair dismissal is struck out. The claimant's other complaints are not affected by this judgment.

Employment Judge Little

Date: 6<sup>th</sup> January 2021