



# EMPLOYMENT TRIBUNALS

Claimant: Mrs C BARBARINO

Respondent: HOLIDAY INN

## JUDGMENT

The complaints that the claimant was unfairly dismissed are struck out.

## REASONS

1. The claimant complains of unfair dismissal in two claim forms which are very similar.
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.
6. Accordingly, the complaints of unfair dismissal are struck out.
7. The claimant's complaints about unpaid wages proceed to a video hearing on **9 June 2022** unless earlier withdrawn.

Employment Judge JM Wade  
Date: 22 April 2022