



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr H Candemir

**Respondent:** Ion man Ariston developments

## 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.
6. The claim for a redundancy payment cannot proceed as there is a requirement that there has been not less than two years' service.
7. Accordingly, the complaints of unfair dismissal and unpaid redundancy payment are struck out. The claimant's other complaints of unpaid wages, outstanding holiday pay and failure to pay notice are not affected by this judgment.

Employment Judge Russell

Date: 3 August 2022