



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr C Theobald

**Respondent:** Robin Ashby

## JUDGMENT

1. The complaint of unfair dismissal is struck out.
2. That was the only complaint presented, and therefore the entire claim has been struck out.

## REASONS

1. By a letter dated **4 October 2023**, the Tribunal gave the claimant an opportunity to contact the Tribunal to make representations by **18 October 2023**. By letter dated **31 October 2023**, he was given a further opportunity to do so by **14 November 2023** and warned the claim would be struck out if there was no reply. There was no reply.
2. The claimant complains of unfair dismissal (and only that).
3. 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.
4. The claimant was employed by the respondent for less than two years. 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. Accordingly, the complaint of unfair dismissal is struck out.

**Employment Judge Quill**

Date: 7 December 2023

JUDGMENT SENT TO THE PARTIES ON  
7 December 2023

FOR THE TRIBUNAL OFFICE