



EMPLOYMENT TRIBUNALS

Claimant: Mr U C Ezeogu

Respondent: IBC Health Care

JUDGMENT

The complaint that the claimant was unfairly dismissed is struck out.

REASONS

1. The claimant complains of unfair dismissal and race discrimination.
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 meaning the claimant is not entitled to bring such a complaint unless the alleged reason for dismissal engages with one of the exceptions which does not require 2 years' service.
5. The claimant has been given the opportunity to explain the basis on which a claim could proceed. He has responded but the explanation does not engage with any of the exceptions.
6. Accordingly, the complaint of unfair dismissal is struck out on the ground that the employment tribunal does not have jurisdiction to determine it. The claimant's other complaints are not affected by this judgment.

Employment Judge **Clark**

Date: 18 January 2024

JUDGMENT SENT TO THE PARTIES ON

22 January 2023

FOR THE TRIBUNAL OFFICE