



EMPLOYMENT TRIBUNALS

Claimants: Mr C Holborow
Miss C Ashburn

Respondents: 1. Create Construction Limited (In Administration)
2. Secretary of State for Business, Energy & Industrial Strategy

JUDGMENT

The complaint that the claimants were unfairly dismissed is struck out.

REASONS

1. The claimants complain 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 claimants were employed by the respondent for less than two years.
4. Therefore, the claimants are not entitled to bring such a complaint.
5. The claimants have 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 complaint of unfair dismissal is struck out. The claimants' other complaints are not affected by this judgment.

Employment Judge Dunlop
Date: 23 March 2022

JUDGMENT SENT TO THE PARTIES ON
24 March 2022

.....
.....
FOR THE TRIBUNAL OFFICE