



EMPLOYMENT TRIBUNALS

Telephone Hearing

Claimant: Miss D Powell

Respondent: Mobili Office Limited

HELD AT: Sheffield

ON: 10 August 2020

BEFORE: Employment Judge Brain

REPRESENTATION:

Claimant: In person

Respondent: Miss J Ashworth, HR and Accounts Manager

JUDGMENT AT A PRELIMINARY HEARING

The Judgment of the Employment Tribunal is that:

1. The claimant was employed by the respondent between 26 February 2018 and 31 December 2019. Accordingly, the claimant does not have the necessary qualifying period of employment to pursue a complaint of unfair dismissal pursuant to section 94 of the Employment Rights Act 1996 (known as "*ordinary unfair dismissal*").
2. The claimant's complaints that she was constructively dismissed for having made a protected disclosure and/or for having brought to the respondent's attention by reasonable means circumstances connected with work which she reasonably believed to be harmful or potentially harmful to her health and safety (known as "*automatic unfair dismissals*" for which the two years' qualifying service requirement does not apply) are dismissed as they have no reasonable

prospect of success, there being no evidence that the respondent acted in fundamental breach of the employment contract because of any protected disclosure and/or health and safety disclosure made by her in late November 2018.

Employment Judge Brain
Date: 28 August 2020