

Unfair dismissal

Unfair dismissal is when an employer does not have a fair reason for dismissing you or doesn't follow the disciplinary processes correctly.

If you have worked for your employer for less than two years in Britain or one year in N Ireland, they can dismiss you, without reason. You can't, with some exceptions, make a claim to an industrial tribunal.

Employees with the required service can also be dismissed but the employer must have a fair reason for doing so. Fair reasons for dismissal include, conduct, capability, redundancy, a statutory restriction or some other substantial reason. The employer must act reasonably during the disciplinary process and dismissal.

Unfair dismissal is when an employer does not have a fair reason for dismissing you. Or the employer didn't follow their own disciplinary process. If they failed to follow the statutory 3 step process in N Ireland. Or you were dismissed for an automatically unfair reason.

If you are dismissed for exercising or trying to exercise your statutory employment rights you will have been automatically unfairly dismissed. This includes discrimination. If you were dismissed for an automatically unfair reason, you can make a claim to an industrial tribunal no matter how long you worked for your employer.

If you feel you have been unfairly dismissed, you must talk to [your union rep](#) right away. There is a strict three month time limit to bring a tribunal claim. We can help you, if you were a member at the time of the dismissal. We can give free legal advice, guidance and representation.

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