



EMPLOYMENT TRIBUNALS

Claimant: Mrs M Isse

Respondent: Jewel Home Support Limited

Heard at: Manchester

On: 15 July 2019

Before: Regional Employment Judge Parkin

REPRESENTATION:

Claimant: No attendance

Respondent: Mr F Chapti and Mr M Kilsby, Directors

JUDGMENT AT A PRELIMINARY HEARING

The judgment of the Tribunal is that the claimant presented her claim outside the statutory time limit and it is dismissed for lack of jurisdiction.

REASONS

1. By a claim form first presented on 27 February 2019 but only accepted after resubmission and reconsideration on 19 March 2019, the claimant claimed non-payment of wages and non-provision of a payslip in respect of the termination of her employment on 28 October 2018. The respondent resisted her claim by a response, presented on 30 April 2019, including asserting that the claim should not have been accepted as it was presented out of time.

2. This Preliminary Hearing was listed to determine whether the claim was presented in time. The claimant's Early Conciliation certificate showed Day A – date of receipt of notification by Acas on 29 January 2019 with Day B – the date of issue of the certificate on 6 February 2019.

3. The claimant failed to attend the hearing. She was unable to establish that her claim was presented in time since it appeared that the 3-month limit for bringing her claims had already just expired when she commenced Early Conciliation. In the circumstances, her claim is dismissed for lack of jurisdiction.

Regional Employment Judge Parkin

Date 15 July 2019

JUDGMENT AND REASONS SENT TO THE PARTIES ON

17 July 2019

FOR THE TRIBUNAL OFFICE

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.