



EMPLOYMENT TRIBUNALS

Claimant: Mr J Lister
Respondent: Harvard Technology Limited (In Administration)

AT A HEARING

Heard at: Leeds **On:** 17th October 2019
Before: Employment Judge Lancaster

Representation

Claimant: Did not attend and did not submit written representations
Respondent: No appearance entered and did not attend

JUDGMENT

1. The claim was presented on 1st May 2019, which was outside the 3-month period from 10th December 2018 as extended to allow for the “clock being stopped” during the 9 day nominal period of Early Conciliation. It was reasonably practicable to have submitted the claim in time by 18th March 2019, and in any event, it was not presented within a reasonable time after that date.
2. The claim for a protective award is dismissed.

REASONS

1. The only record the tribunal has is of a claim submitted on 1st May 2019.
2. The Claimant entered ACAS Early Conciliation on 14th January 2019. He was clearly, therefore aware of his potential right to make a claim to the tribunal.
3. The Claimant might have made a valid claim to the tribunal at any time after 23rd January 2019. He does not provide any explanation for the delay.
4. By delaying the presentation of the claim, with an early Conciliation number until 1st May 2019 the Claimant did not act reasonably promptly.

EMPLOYMENT JUDGE LANCASTER

DATE 17th October 2019

Case: 1801946/2019

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