



EMPLOYMENT TRIBUNALS

Claimant: Mrs AM Leska
Respondent: Harvard Technology Limited (in administration)

AT A HEARING

Heard at: Leeds by telephone conference call On: 15th May 2020
Before: Employment Judge Lancaster

Representation

Claimant: In person (through an interpreter, Mr P Giers)

Respondent: No appearance entered and did not attend

JUDGMENT

1. The complaints in respect of holiday pay and unfair dismissal were not presented in time although it was reasonably practicable to have done so and are struck out.
2. It was not reasonably practicable to have presented the claim for a protective award in time and it was presented within a reasonable time afterwards.
3. The claim for a protective award succeeds.
3. The Respondent is ordered to pay to the Claimant remuneration for a protected period of 90 days beginning on 10th December 2018.
5. The Employment Protection (Recoupment of Benefit) Regulations 1996 regulations 6, 7 and 8 apply to this award.
6. The Respondent is accordingly advised of its duties under the Regulations and any award made will be postponed pending any service of a recoupment notice by the Secretary of State in respect of relevant benefits received by the Claimant in the prescribed period and only the balance of any remuneration due will then be payable directly to the Claimant.

EMPLOYMENT JUDGE LANCASTER

DATE 15th May 2020