



EMPLOYMENT TRIBUNALS

and

Claimant: Mr N Cowley

Respondent: Klass Steel Ltd

Record of a Closed Hearing heard by Cloud Video Platform (CVP)

Held at: Croydon

On: 14 September 2020

Before: Employment Judge P Britton (sitting alone)

Representation

For the Claimant: In person

For the Respondent: Mr S Lumpson, director

JUDGEMENT

1. The claim is dismissed upon withdrawal.

REASONS

1. The Claim (ET1) was presented by the Claimant to the Tribunal on 30 July 2019. It appeared to be for unpaid wages (unquantified); failure to provide

wage slips; third non provision of a P60 or P45. As to the last two this is not within the jurisdiction of the tribunal.

2. As to the first two claims, there is a three month time limit for bringing such claims to the Tribunal. The employment ended on 17 March 2019 . Thus, the last day for filing was 16 June 2019. Time can be extended by the period of the ACAS conciliation certificate, but only if the conciliation as per the certificate started within the three month time limit. But in this case the ACAS certificate runs between 17 June and 21 June 2019. Thus, it cannot extend time. It follows that unless at a hearing, which would have to be open unlike today, the Claimant could persuade the Tribunal that it was not reasonably practicable to present the ET1 before he did, the claims must be dismissed for lack of jurisdiction.
3. As it is first his claim was not for unpaid wages. In a complicated scenario involving the going into administration of his previous employer, he accepts he has been paid his entitlement.
4. As to the second issue within the jurisdiction of the tribunal, namely that he had not been provided itemised pay slips for the short period that he may have been employed by the Respondent post the administration, this has been resolved today by their provision to him by Mr Lumpson during this hearing.
5. Thus, in those circumstances the Claimant has withdrawn all his claims before me and consents to their formal dismissal.

Employment Judge P Britton
Dated: 14 September 2020