



EMPLOYMENT TRIBUNALS

Claimant: Mr J Ash

Respondent: ISS Facility Services Ltd

Heard at: Cardiff (by CVP)

On: 30 November 2021

Before: Employment Judge C Sharp (sitting alone)

Representation

Claimant: In person

Respondent: Ms E Grace (Counsel)

UPON APPLICATION made by the Claimant by an email dated 3 February 2021 to reconsider the judgment of Employment Judge NW Beard dated 18 November 2019 under rule 71 of the Employment Tribunals Rules of Procedure 2013 (permitted out of time due to order of the Employment Appeal Tribunal)

JUDGMENT

1. The Claimant rectified the issue of the failure to supply the number of a valid ACAS early conciliation certification on 25 November 2021 and this shall be the presentation date of his claims for unlawful deduction from wages claim and holiday pay claim.
2. The Claimant's claims were presented outside the statutory time limits.
3. It was reasonably practicable for the Claimant to present his claims within the statutory time limit and the Tribunal has no jurisdiction to hear his remaining claims.
4. The above means that the Judgment of Employment Judge NW Beard of 18 November 2019 is confirmed, but the reasons are varied to reflect the fact that there was an additional earlier ACAS early conciliation certificate (which is valid) dated 3 June 2019, which was not obtained until after primary limitation expired.

Employment Judge C Sharp
Dated: 30 November 2021

JUDGMENT SENT TO THE PARTIES ON 1 December 2021

FOR THE TRIBUNAL OFFICE Mr N Roche