



EMPLOYMENT TRIBUNALS

Claimant: Mr K Drake

Respondent: Holderness Shiprepairers

Heard: By telephone
On: 4 October 2022

Before: Employment Judge Anderson

Representation
Claimant: In person
Respondent: Did not attend and was not represented

JUDGMENT

1. Having considered the Claimant's claim and hearing evidence from him today under oath, the Tribunal declares that the Respondent has failed to provide the Claimant with an itemised pay statement, as required by s8 Employment Rights Act 1996.
2. The Tribunal has no jurisdiction to consider the complaint of a failure to provide a P45.

REASONS

3. It was not reasonably practicable for the Claimant to have brought his claim within the three-month time limit, the Tribunal accepting his reasons as given at the hearing.
4. The Claimant submitted his claim within a reasonable time thereafter.
5. The Respondent has been given notice of the claim and today's hearing, by letter dated 2 August 2022. The Respondent contacted the Tribunal on 3 October 2022 seeking an adjournment of this hearing only. That application

was refused for the reasons given by Employment Judge Bright on 3 October 2022.

6. Efforts were made to contact the Respondent prior to the hearing today, but these were unsuccessful.
7. The Tribunal determined that the claim would proceed in the Respondent's absence, in accordance with Rule 47. No response has been submitted, nor has an application been made for extension of time. The Respondent is aware of the hearing and its application for postponement has been refused.
8. The Tribunal accepted the evidence of the Claimant that he has received no pay slips since November 2021, despite repeated requests.
9. The Tribunal has no jurisdiction to consider complaints relating to a failure to provide P45s; these complaints should be raised with HMRC.

Employment Judge Anderson
Employment Judge Anderson

4 October 2022

JUDGMENT SENT TO THE PARTIES ON
12 October 2022