



EMPLOYMENT TRIBUNALS

Claimant: Mrs Helen Margaret Pilling

Respondent: Department for Work and Pensions

Heard at: Manchester Employment Tribunal

On: 30 April 2023

Before: Employment Judge Tobin

Representation

Claimant: In person

Respondent: Ms K Balmer (counsel)

JUDGMENT

This has been a remote hearing which has been consented to by the parties. The form of remote hearing was by a video hearing through HMCTS Cloud Video Platform. A face-to-face hearing was not held because the relevant matters could be determined in a remote hearing.

The Judgment of the Employment Tribunal is that:

1. The claimant's complaints for the shortfall of her annual leave entitlement on overtime payments is out of time, pursuant to section 23 Employment Rights Act 1996 and regulation 30 Working Time Regulations 1998. It was not reasonably practicable for the claimant to bring these complaints within the 3-month statutory time limits although claim was presented outside such further period as the Tribunal determined was reasonable.
2. Consequently, the Employment Tribunal does not have jurisdiction to hear the complaints brought by the claimant on 3 October 2023 and proceedings are now dismissed.

Employment Judge Tobin
Dated: 30 April 2024

JUDGMENT SENT TO THE PARTIES ON

Date: 1 May 2024

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FOR THE TRIBUNAL OFFICE

Note

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

All judgments and written reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.