



brabners chaffe street

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# Employment Bulletin

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## TIME LIMITS, DELAYS AND WAGES

### Tribunal time limit strictly enforced

In *Beasley -v- National Grid*, the EAT upheld a tribunal's decision that a claim form presented 88 seconds out of time was too late. Although this might appear a harsh decision the Court of Appeal took the view that time limits for lodging claims operated to a strict regime and that "there is no grey area for complaints which are only a bit out of time".

### No excuse for unreasonable delay

The EAT has confirmed that, in accordance with the general requirements of the statutory dismissal procedures, a dismissal is automatically unfair when the employer delays unreasonably (*Yorkshire Housing -v- Swanson* EAT 0057/07).

In this case, the employer had delayed for five months between holding the disciplinary meeting and writing the letter dismissing the Claimant. The EAT held that the delay provisions in the statutory procedures were mandatory and having found that there had been "unreasonable delay" a finding of automatic unfair dismissal had to follow.

### And finally .....butchers guilty of trimming wages (not just the bacon)

Jacksons Butchers of Sheffield have become the first employers in the country to be convicted of deliberately not paying staff the national minimum wage. The father and daughter owners were ordered to pay over £11,000 in compensation to two former employees, plus costs.

If you require any specific advice in connection with the material contained in this bulletin, or on any other Employment Law issues, please contact a member of the Employment Team on 0151 600 3000. If you no longer wish to receive the bulletin please let us know by return email.

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