

EMPLOYMENT TRIBUNAL CLAIMS

Things to think
about before you
get on that train...

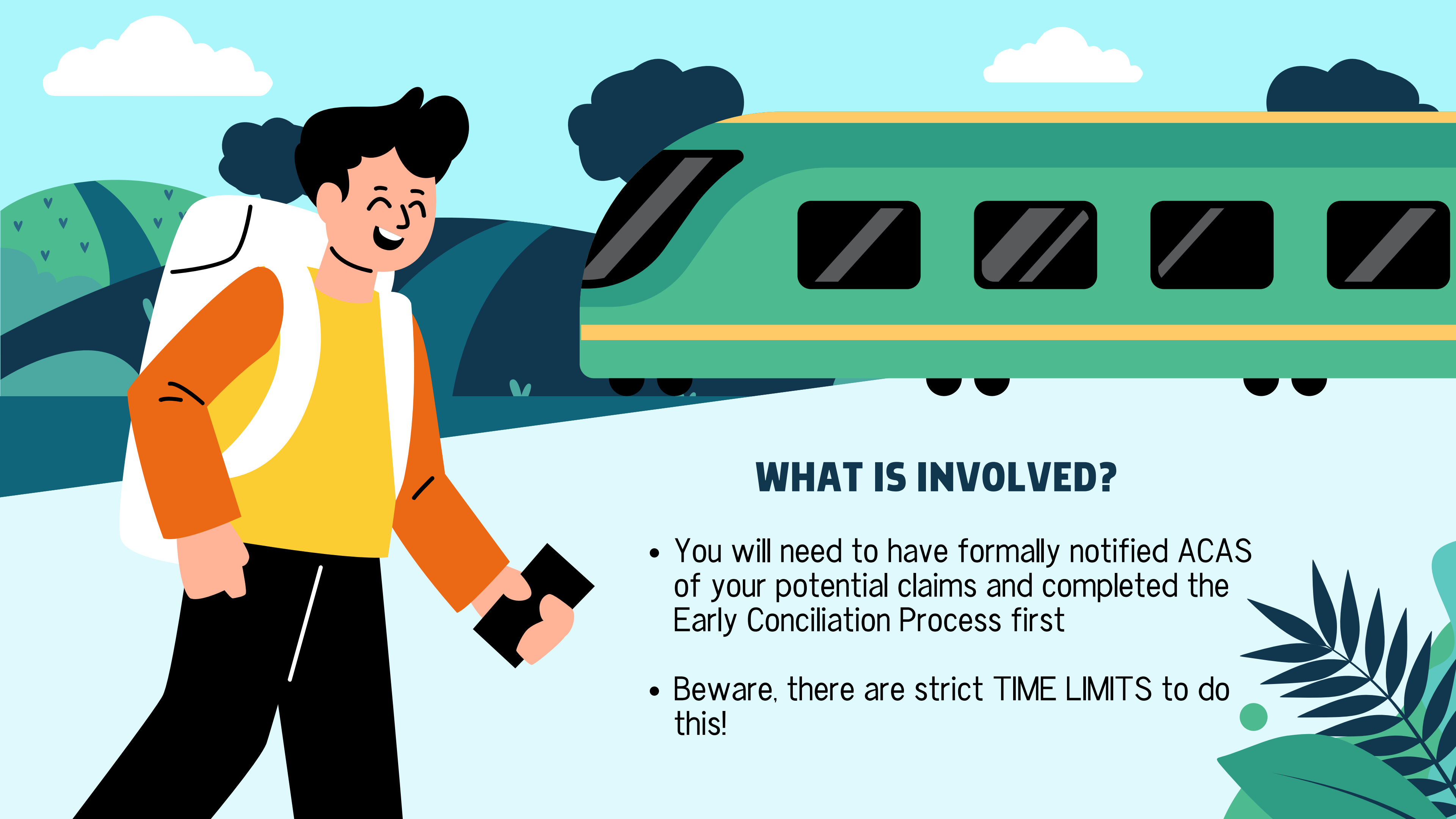


THINGS TO CONSIDER

- What is involved?
- Have I got a good claim?
- Completing the Claim Form
- What preparation do I need to do?
- Can it be kept confidential?
- How long will it take?
- What alternatives are there?



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WHAT IS INVOLVED?

- You will need to have formally notified ACAS of your potential claims and completed the Early Conciliation Process first
- Beware, there are strict TIME LIMITS to do this!

HAVE I GOT A GOOD CLAIM?

Employment Tribunals are legal proceedings. You shouldn't start a claim without knowing that you have a legal basis to bring one

Sometimes an employer can behave badly without behaving illegally!

Get expert legal advice before you embark on this journey



COMPLETING THE CLAIM FORM

You need to clearly specify what your claim is on the claim form, with a detailed description of what happened and why it forms a legal claim

It is very difficult to amend a claim once it is submitted so you need to get it right in the first place

It's often better to focus on the main issues/strongest claims you have than throw the kitchen sink at it!



WHAT PREPARATION DO I NEED TO DO?

- Tribunals involve lots of preparation and sometimes multiple preliminary hearings before the final hearing
- There are strict deadlines that have to be met and you need to provide evidence and witness statements to support your case
- You may need to get an expert report
- A final hearing can take anywhere between 1 day and 3 weeks, depending on the complexity of the case
- There is a lot of hard work, time, effort and stress involved!



CAN IT BE KEPT CONFIDENTIAL?

- Tribunals are held in public, and your final judgment will be available online for anyone to read
- Any prospective employers can find out that you have brought a claim against a previous employer
- If you work for a high profile or public employer, your case may attract press attention and be featured in the news



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HOW LONG WILL IT TAKE?

There are currently huge delays between submitting your claim and cases being heard

It can take 1.5 to 2 years for a case to reach conclusion, depending on where in the country you work, and how long your final hearing is





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WHAT ALTERNATIVES ARE THERE?



It may be possible to settle your case "out of court"



If the parties can reach agreement on the compensation and other terms, then the settlement will be recorded in a document called a "settlement agreement". You need to get independent legal advice on this document



Once terms are agreed, a settlement document can also be drawn up by ACAS and it is called a COT3



Sometimes the parties use arbitration or mediation to reach a resolution

WHAT NEXT?

**OUR BEST ADVICE IS
TO GET ADVICE!**

**OUR EXPERIENCED
EMPLOYMENT LAWYERS
CAN HELP YOU NAVIGATE
THIS JOURNEY**

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