The Work of Employment Tribunals by Sarah Cullen

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Acting as independent judicial bodies, Employment Tribunals help employers and employees to settle their disputes over employment rights. Employment issues such as unfair dismissal, disability, race and sex discrimination, redundancy, wage-related concerns, terms of employment and worker's rights can be brought to the employment tribunals' attention.

Employment tribunal hearings are informal in order to encourage concerned parties to take legal action themselves. It is normally conducted at the tribunal office. There are instances, however that a different place is needed. Unlike in a county court, parties do not have to wear any special dress or need to follow any civil process policies. On the other hand, all hearings have an audience. Press people may even be present especially if your case is of public interest. Sexual conduct accusations however are exceptions. The tribunal normally does not allow press people to hear such cases and label them as 'Restricted Reporting Order'.

The people who will hear the case usually consist of three persons. Appointed by the Lord Chancellor, is the chairman who is a lawyer by profession. The other two members appointed by the Department of Trade and Industry are lay members and have been exposed to negotiate work-related problems. All three do not work for the government.

The tribunal is expected to handle every case reasonably and honestly. The tribunal must treat both parties equally. It is also their role to handle the cases in a timely manner and to take into account the nature and importance of all the issues at hand.

Results of the hearings are not announced but instead the tribunal issues a written decision to the parties a few days after the hearing. The rationale for the decision is included as well. Appeals can be made to the Employment Appeal Tribunal in case you disagree with the decision. Such appeal must comply with the indicated time frame, which is 14 days after the decision was made. In cases such as this, it will do you good to ask for legal advice to know if your case is eligible for a review.

In the event that the other party lost, the other party is not obliged to pay the costs. But should the tribunal deem that the party or its representative has acted irrationally, offensively or the claim is of no value, the tribunal may arrange for the party to pay the other side's expenses.

The Employment Tribunals reserves the right to refuse a claim if the prescribed form was not used and all given information must be true and valid to be acknowledged.

Several kinds of hearings are permitted by the Employment Tribunals Rules of Procedure: Case Management Discussion, Pre-Hearing Review, Full Hearing to decide accountability, and Review Hearing to reassess a judgment.

For assessments or reviews because of minor slips such as a typographical error, a Certificate of Correction will be issued to affirm the changes. Indeed Employment Tribunals are a big help to both employers and employees to resolve disagreements without having to spend.

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Sarah Cullen - About Author:
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