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COVID-19 – Temporary Changes in the Employment Tribunal System

Over recent weeks, since the outbreak of the Coronavirus pandemic, the employment tribunals have been adjusting the way that cases are dealt with, primarily in respect of Final Hearings which are listed up to 26 June 2020 which will now be converted to a Telephone Preliminary Hearing. What this means in practice is that, if you are currently involved in proceedings, the trial of your matter will not go ahead as planned and will need to be rescheduled.

The Telephone Preliminary Hearing is designed to address this and take stock of the current position and identify any preparatory steps that still need to be undertaken. You will also be expected at this hearing to consider any alternative steps that can be applied to the case moving forwards to conduct a hearing at a later point by alternative means such as a video hearing.

If your case has been listed for a Preliminary Hearing to consider case management, this will still go ahead but by telephone as opposed to attendance in person. Such hearings routinely take place by telephone anyway and it is envisaged therefore that these hearings will be largely unaffected.

If you have a Final Hearing listed after 26 June 2020, currently this will go ahead as originally planned but that is of course subject to further update from the Employment Tribunals.

We are therefore experiencing significant changes from the Employment Tribunals and the way claims are dealt with. However, what remains firmly unaffected are the deadlines in place for bringing claims and the deadline for Respondent's to respond to claims. If you are an individual looking to pursue a claim, do not hesitate in taking advice as the usual strict time limitation of 3 months less one day from the act complained of, still applies and you must take action within this deadline. This involves engaging with ACAS Early Conciliation prior to the deadline, a service which remains unaffected and is still available despite the pandemic.

If, on the other hand, a claim has been made against you, you are still required to submit a response to the claim within 28 days. Whilst tribunals are endeavouring to send copies of claims by email as well as post, if you are able to, it is imperative that post is checked (particularly if you are aware of an existing dispute which has gone to ACAS Early Conciliation) as a claim may have arrived which you are unaware of and the 28 day deadline to respond is ticking away or may even have passed.

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If you have queries in respect of your existing claim and the management of that or, if you are looking to make a new claim or are facing a new claim, do not hesitate to contact our experienced team of employment litigators by calling 0800 015 0340 or emailing info@chadlaw.co.uk. We are still able to take instructions and act on your behalf during these difficult times.

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