

EMPLOYMENT *fact sheet*

Tribunal - Facts & Figures

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Are you up to date with current Employment Law legislation? If not, these are some of the types of claims that you could be facing. Let the Employment Team at [stevensdrake](#) advise you on current employment law rights and obligations to either prevent claims or keep such claims to a minimum.

TABLE OF EMPLOYMENT RIGHTS

Complaint	Time Limit for Claiming	Qualifying Period of Service	Maximum Financial Award
Unlawful Discrimination Sex, Race, Disability Discrimination and/or Discrimination on the grounds of Sexual Orientation and/or Religious belief and age	Three months from act complained of.	None	• No limit
Unfair Dismissal • Maximum Basic Award • Maximum Compensatory Award • Additional Award (for failure to comply with a re-employment order) • Failure to provide written reasons for dismissal within 14 days of a request	Three months from the date of dismissal	1 year	• £6,900 • £63,000 • 26-52 weeks' pay* • 2 weeks' pay (not capped) *(capped at £330 p/w) NB These awards can be increased by 10-50% for failure to comply with the statutory disciplinary procedures
Equal Pay	Six months from cessation of employment	None	• No limit on back-payments of difference and/or damages (up to six years prior to the claim)
Maternity • Unfair Dismissal for pregnancy-related reason • Failure to offer alternative work prior to suspension of a pregnant worker • Failure to pay full pay whilst on maternity-related suspension	Three months from the date of dismissal/suspension	None	• £63,000 • No limit • No limit
Parental Leave • Unreasonable postponement/refusal • Unfair dismissal for taking/seeking to take Parental Leave	Three months from act complained of	1 year	• A "Just & Equitable" amount • £63,000
Redundancy • Maximum Redundancy payments • Failure to consult with representatives on collective redundancies	Six months from relevant date Either before last dismissal or three months before the date of last dismissal	• 2 years • n/a	• £9,900 (30 weeks) • 90 days' pay or less (uncapped)
Unlawful Deductions from Pay	Three months from date of last deduction.	None	• No limit (subject to the amount of the deduction)
Miscellaneous • Itemised pay statement • Written particulars of employment within 2 months of employment • Breach of contract claim in the Employment Tribunal • Limit on daily rate of guarantee payment	Three months from cessation of employment	• None • One month • None	• Maximum of the total of un-notified deductions during the 13 weeks prior to the application • 2-4 weeks pay • £25,000

Figures stated are effective on or after 1 February 2008

Some Statistics 2006/2007:

The following statistics are taken from ACAS's Annual Report for 2006/2007.

Number of Applications made to the Employment Tribunal:

The statistics show that the number of applications made in 2006/2007 was 132,577, 15% up on the previous year, mainly as a result of an increase in equal pay claims against local authorities.

The greatest number of applications were for Unfair Dismissal - where 35,583 claims were made representing 34% of all applications to the Employment Tribunal.

8,095 of the applications made were for Sex Discrimination (8%) as opposed to 2383 for Race Discrimination (2%).

In contrast, there were only 394 age discrimination claims as the relevant age discrimination laws only came into effect in October 2006. Next year's statistics in this area are expected to be much higher.

The majority of all applications made were either withdrawn before the hearing or were settled via ACAS. Out of all the claims dealt with by the Tribunal system, 21,816 were successful, whilst ACAS conciliated settlements were 42,805.

Average Awards of Compensation:

Unfair Dismissal award: £7,974.

Race Discrimination award: £14,049

Sex Discrimination award: £10,052

Disability Discrimination award: £15,059

Costs Awarded

The statistics show that the Tribunal now has the discretion to award costs against a party in certain circumstances up to a maximum of £10,000, although as a general rule, the Tribunals are still reluctant to exercise their new powers.

Respondents were twice as likely as Claimants to be awarded costs and the average costs awarded were £2,079.

EMPLOYMENT DEPARTMENT



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