

# Making a claim to the Industrial Tribunal

## The procedure and timescales



**Early Conciliation** - before making a claim, you must contact the Labour Relations Agency and discuss Early Conciliation. You just need to make a notification, it is not necessary to participate in the conciliation. Any time in conciliation will not count towards the three month time limit to make a claim.



**Please note, you can settle or conciliate your claim at any point in the Tribunal process (90% of cases at Tribunal end in settlement).**



**START**

### 1. Submit ET1 Form

Must be within three months of the incident you're making the claim about (not counting any time spent on Early Conciliation). Can be done online, by email or post.

**3-4 Months**

### 2. Response

The Tribunal will process the ET1 and send it to the Respondent. They should respond using an ET3 Form within 28 days. This will then be sent to you.

**2-4 Weeks**

### 3. Preliminary Hearing

This is a discussion facilitated by an Employment Judge. It may agree a schedule and procedure for the rest of the Tribunal process. It may also deal with any preliminary issues.

**1 Month**

### 4. Tribunal Notices

There will be an exchange of Notices in relation to Additional Information and Discovery. Discovery is the process of obtaining evidence ahead of the Hearing.

**2 Weeks**

### 5. Replies to Notices

Both parties will have 14 days to produce the information requested by the other side by way of Notices.

**1 Month**

### 8. Decision

The Tribunal will issue a decision after listening to all the evidence presented at the Hearing.

**9. Chance to appeal**

**2-4 Weeks**

### 7. Hearing

You will receive notice of the hearing which will be at Killymeal House in Belfast. A hearing can be from 1 - 5 days, depending on how much evidence there is.

**1 Month**

### 6. Witness Statements

You will simultaneously exchange your witness statements with the other side. You will be a witness, as well as anyone relevant to your case.

## About this guide

This information is only applicable in Northern Ireland and should not be treated as a complete and authoritative statement of the law. For more information or advice, please call Law Centre NI on **028 9024 4401**