

EMPLOYMENT LAW – THE EMPLOYMENT TRIBUNAL

What is an Employment Tribunal?

The Employment Tribunal is an independent judicial body which determine disputes between employers and employees over employment rights.

What kinds of dispute can an Employment Tribunal decide on?

A very wide range of disputes come within the jurisdiction of the Employment Tribunal. These include unfair dismissal, unlawful deduction from wages, discrimination in employment, breach of employment contract, and more. But some employment disputes may also be dealt with in the ordinary courts.

What compensation can an Employment Tribunal order for unfair dismissal?

The Tribunal could order a dismissed employee to be given back a job with the employer – but this is very rare. Usually financial compensation is given for unfair dismissal. There is a “basic award” which takes account of age, length of service and average pay up to a maximum (£400 per week in 2011). Then there is a “compensatory award” which is compensation for financial loss. This depends on the individual case and circumstances, but is subject to a maximum (£68,400 in 2011). It would include compensation for such things as loss of pay, future loss of pay, and loss of benefits including pension rights. The basic and compensatory awards can be reduced if the employee is partly to blame for the dismissal, has behaved badly in the employment, or has received some other payment such as redundancy pay.