

## Employment Tribunal traps to avoid

An employee can take an employer to an employment tribunal for a variety of reasons.

These include claims for unfair dismissal, unpaid wages, redundancy and discrimination. If the claim is successful, the tribunal can order the employer to pay compensation and/or give the employee their job back.

Defending the claim yourself can be very difficult and time consuming if you have no experience of employment law or dealing with a tribunal court. Some claims are very technical and depend on the interpretation of legislation or case law. If you do not follow the correct procedure, present your case properly or miss a hearing you put your defence at risk.

If you are tempted to represent yourself, take care to avoid the most common mistakes employers make:

- failing to complete the response form properly or comply with orders;
- missing time limits;
- refusing to settle a claim;
- not attending hearings;

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- failing to prepare properly for the final hearing; or
- failing to take legal advice.

As an employer it can be difficult to deal directly with an angry or upset employee or you may not have the time to defend the claim properly. If you find yourself in this situation or are concerned about the stress of conducting the tribunal hearing yourself it is better and more cost-effective to take legal advice sooner rather than later.

As your solicitor we will advise you whether you should settle the case. If so, they can conduct the negotiations and minimise the amount you have to pay the employee. If the claim does not settle, they will be able to draft all the paperwork for you, prepare the case properly and put your defence in the best possible light.

Instructing us will mean that you avoid costly mistakes.

## Ware & Kay LLP

good on paper, even better in person

### Contact us

**Ware & Kay's specialist, Gill Wilkinson, has extensive experience in all aspects of employment law. For further advice please call York 01904 716000 or Wetherby 01937 583210 or email [gillian.wilkinson@warekay.co.uk](mailto:gillian.wilkinson@warekay.co.uk).**

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