

## Employment Disputes Important Information

### Recovery of costs

It is almost impossible to recover legal costs in employment tribunal claims, even if you win you should assume that costs will not be awarded. Costs are an exception, are rarely awarded and it is very difficult to persuade an employment tribunal to make an award in the limited circumstances that apply. An employment tribunal must make a costs or preparation time order in unfair dismissal proceedings in limited specified circumstances. Otherwise, an award may only be made against a party or their representative, where a tribunal finds that they have acted vexatiously, abusively, disruptively, or otherwise unreasonably in the bringing or conducting of proceedings, or a part of them or, if any claim in the proceedings has no reasonable prospect of success. A costs order may also be made if a party is in breach of any order or practice direction or a hearing has been postponed or adjourned on the application of a party made less than 7 days before the date of the hearing

### Third party payment of legal costs

If another person has agreed to pay all or part of our charges or expenses, you will still remain liable for those costs. You accept we may keep that third party informed about the progress of any dispute and the costs and expenses which are incurred. Third party funding may be provided, for example, under a legal expenses policy. Such policies are often added to household, business or motor insurance policies. You should therefore check any such policies carefully. If we have not been notified about third party funding, we will proceed on the basis that no such funding is available to you.

### ACAS conciliation

Most employment disputes require a party to contact Acas before a claim can be issued in the employment tribunal, unless one of the limited exceptions applies. If both parties agree, you will enter into a conciliation period which aims to settle the claim without the need for proceedings, can last up to six weeks. There are strict time limits for bringing an employment tribunal claim, which must be adhered to but may be extended by up to a month where mandatory conciliation takes place. The exact time limit is complicated, you should take legal advice on this.

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