



EMPLOYMENT TRIBUNALS

Claimant: Miss S Abell

Respondents: Coversale Limited t/a Croma Restaurant

RULE 21 JUDGMENT AND NOTICE OF HEARING

Employment Tribunals Rules of Procedure 2013 – Rule 21

The time for presenting a response having expired , and no valid response to the claim of unfair dismissal having been presented by the respondent within the prescribed time limit , or accepted by the Tribunal out of time, it is the judgment of the Tribunal that:

1. The respondent is not entitled to respond to the claimant's complaint of unfair dismissal, or to participate in the proceedings, except to the extent permitted by the Employment Judge.
2. The claimant's claim of unfair dismissal will be determined at a final hearing before an Employment Judge sitting alone at **Manchester Employment Tribunal, Alexandra House, 14-22 The Parsonage, Manchester, M3 2JA** on **20 July 2022**, starting at 10 am or as soon as possible afterwards.

CASE MANAGEMENT ORDERS

Made pursuant to the Employment Tribunal Rules of Procedure

1. The claimant do by **25 April 2022** make any application to amend her claim to include any claims of unlawful deductions from wages.
2. The claimant do provide to the respondent and the Tribunal copies of all documents relevant to her claims by **16 May 2022**.
3. The claimant shall also by **16 May 2022** provide a statement of the remedy she seeks, i.e what sums she seeks to be awarded as compensation for unfair dismissal, setting out how the same are calculated, the period of loss of earnings in respect of which she is claiming, and details of all benefits received from the date of termination to date, and her attempts, if any, to obtain alternative work.

6. By **13 June 2021** the claimant shall make and exchange with the respondent a witness statement of the evidence that she will give to the Tribunal. This includes the claimant herself, and any witness she may wish to call.

5. The claimant do by **13 July 2021** put her documents , including her witness statement(s) into a hearing bundle, avoiding duplication, and send the same to the Tribunal's ET Bundles Inbox.

NOTE

1. The respondent has not responded to the claimant's only claim of unfair dismissal. Her claim, however, is of constructive dismissal, so she must still prove her claim.
2. The steps that the claimant needs now to take have been set out in the Tribunal's recent letter to her. Further, if she intends to seek to amend her claims, she has been advised as to how to go about this.
3. She must prepare , in any event, for the hearing that will be required, and the above orders are made for that purpose. The claimant is referred to the assistance available in the Employment Tribunal Rules of Procedure which can be found at <https://www.gov.uk/courts-tribunals/employment-tribunal> and the Presidential Guidance on 'General Case Management' (which incorporates Guidance Notes on a range of matters) can be found at this link:www.judiciary.gov.uk/publications/employment-rules-and-legislation-practice-directions/
4. A leaflet identifying possible sources of free advice about employment law claims is attached to this Order.

Employment Judge Holmes

Dated: 5 April 2022

JUDGMENT SENT TO THE PARTIES ON

Dated: 10 May 2022

FOR THE TRIBUNAL OFFICE

**SOURCES OF ADVICE LEAFLET - NORTH WEST ENGLAND
Sept 2021**

Although Employment Tribunals are used to dealing with parties who are unrepresented and our procedure is relatively informal, many cases are more complex than they may seem.

Advice and guidance from an experienced adviser before the case is heard can be just as valuable as representations at the hearing itself.

This is a list of some organisations where you may be able to get free advice and/or representation. The organisations give different types of help. Some offer legal advice. Some may represent you at the hearing. Some only offer emotional support. The websites usually explain what kind of help can be given.

We cannot guarantee that any of these organisations will be able to help you. We are also not responsible for the content or quality of any advice or help which you do receive. Please note that we do not delay cases to allow any extra time for you to get assistance.

If you are a member of a trade union, they may be able to help you.

If you have household, car or other insurance cover, check if you have legal expenses insurance, which can cover an Employment Tribunal case.

Some solicitors, barristers or other representatives offer a 'no win, no fee' service.

Advice Agencies

Law Centres

www.lawcentres.org.uk

The address of a law centre nearest to you is available on the website or you can telephone the Law Centres Network on 020 7842 0720. Specific centres operating in North West England and offering employment advice are listed later in the leaflet.

Citizens Advice Bureau

www.citizensadvice.org.uk

The address of a Bureau nearest to you is available on the website. You can also look up Citizens Advice's self-help website, which has very clear advice, at www.adviceguide.org.uk

Some Citizens Advice Bureau give specific employment advice to individuals. **Salford Citizens Advice Bureau** may do so: Website: <https://www.salfordcab.org.uk>

Telephone No: 0300 3309074 between 10.00am and 2.00pm Monday to Friday or email them. They may be able to arrange an appointment for you.

Equality Advisory and Support Service

www.equalityadvisoryservice.com

The helpline is on 0808 800 0822 (free phone). This is only for discrimination cases under the Equality Act.

Bar Pro Bono Unit

www.barprobono.org.uk

The Bar Pro Bono Unit may offer free representation at the Tribunal hearing. You cannot approach them direct. You need a referral from an advice agency, solicitor or your MP.

Personal Support Unit

www.thepsu.org

The PSU does not give legal advice, but it provides moral support and practical assistance in terms of helping put paperwork in good order etc.

Law Centres in NW England

These centres listed below offer advice on employment disputes. Remember to telephone or email to seek advice. Many centres are operating only on this basis at present.

Cumbria Law Centre

8 Spencer Street
Carlisle
Cumbria
CA1 1BG

Telephone No: 01228 515129

Email: reception@cumbria-law.org.uk

Website: <https://www.cumbrialawcentre.org.uk>

Derbyshire Law Centre

1 Rose Hill East
Chesterfield
S40 1NU

Telephone No: 0800 707 6990 (freephone) or
01246 550674

Website: <https://derbyshirelawcentre.org.uk>

Fylde Coast Advice Centre

43 General Street
Blackpool
FY1 1SG

Telephone No: 01253 584811

Email: enquiries@fcalc.org.uk

Website: <https://www.fyldecoastadviceandlegalcentre.org.uk>

Greater Manchester Law Centre

669 Stockport Road, Longsight, Manchester M12 4QE

Telephone No: 0161 769 2244

Email: employmentadvice@gmlaw.org.uk

Employment Law Advice based at Universities

Telephone or email these clinics. Many are not operating on a face to face basis at present. Instead advice is via phone/email/video appointment. Most operate in university term time only- Oct-Dec, Jan-March/April.

University of Central Lancashire Law Clinic (UCLAN Law Clinic)

Website: https://www.uclan.ac.uk/students/support/law_clinic.php

Email: lawclinic@uclan.ac.uk

This is a free advice service provided by university students studying at the University Law School. There is no face to face clinic at present but virtual appointments may be possible.

Lancaster University Law Clinic

The Law Clinic operates between October and March to provide advice to members of the public from university students. There are no face to face appointments at present due to the pandemic. To access the clinic, complete the online appointment request form to seek an online appointment.

Website: <https://www.lancasterlawclinic.co.uk>

Email: lawclinic@lancaster.ac.uk

Liverpool John Moores University Pro Bono Centre

John Foster Building

80-98 Mount Pleasant

Liverpool

L3 5UZ

The legal advice centre operates between September and May each year. To access advice, please telephone or email the address below.

Telephone No: 07968 422574

Email: LAC@ljmu.ac.uk

Salford University SILKS Law Clinic

The law clinic offers free legal advice to members of the public from October to May. The advice is given by qualified lawyers assisted by University of Salford Law students working under supervision. Contact them via email or telephone to make an appointment for an online appointment via Microsoft teams. If you would find an online appointment difficult, explain when you phone.

Tel 0161 295 6403

Email: probono-law@salford.ac.uk

Website: salford.ac.uk/our-facilities/silks-law-clinics

Manchester University Legal Advice Centre

Website: <https://www.lawmanchester.ac.uk/legal-advice-centre>

Address:

The Justice Hub
School of Law
University of Manchester
188 Waterloo Place
Oxford Road
Manchester
M13 9PL

Telephone No: 0161 275 7976

Email: free.legal@manchester.ac.uk or complete the legal advice appointment request form on the website.

BPP University Law School Manchester

They offer 2 services:

1. Employment Telephone Advice Line (ETAL) Tel: 0161 235 7178

This is a free legal advice service. Call and leave a message on the above number. A student volunteer will call back and take basic details from you. If your case is suitable you will be offered a telephone appointment between 6pm - 8pm on a Tuesday evening.

2. Tribunal Friends

Probonomanchester@bpp.com

This is a service where a volunteer will take notes of your hearing and provide administrative and moral support. (This is not a legal advice service). Contact them at the above email address with your hearing date to seek assistance.

Other Advice Centres

Cheshire, Halton & Warrington Race & Equality Centre
The Unity Centre,
17 Cuppin St,
Chester
CH1 2BN
Tel 01244 400730
<http://www.chawrec.org.uk>

Guidance and Useful Information

<p>ACAS Free, impartial advice on workplace rights, rules and best practice</p>	<p>www.acas.org.uk t: 0300 123 1100</p>
<p>Advice Now Provides signposting to useful information on Employment Tribunal procedures</p>	<p>www.advicenow.org.uk</p>
<p>BPP Videos Ten videos, produced by BPP Law School, contain information about what happens at a hearing and Employment Tribunal procedures.</p>	<p>https://vimeo.com/user/71831050/folder/4038961</p>
<p>The Employment Tribunals website contains information about Employment Tribunal procedure, links to specific forms and contact information.</p>	<p>www.justice.gov.uk/tribunals/employment</p>
<p>President of Employment Tribunals guidance on managing cases generally, including preparing for a hearing, disclosure of documents and preparing and exchanging witness statements.</p>	<p>https://www.judiciary.gov.uk/wp-content/uploads/2013/08/presidential-guidance-general-case-management-20180122.pdf</p>
<p>WorkSMART Information about employment rights and calculators for wages and redundancy pay.</p>	<p>www.worksmart.org.uk/work-rights</p>

Advice Agencies

<p>HMRC Statutory Payments Dispute Team For payments of Statutory Maternity Pay/Adoption Pay/Paternity Pay/Shared Parental Pay or Statutory Sick Pay when your employer is insolvent or refusing to pay.</p>	<p>t: 0300 0560 630</p>
<p>Law Works Advice Centres Find address of advice centre nearest to you.</p>	<p>www.lawworks.org.uk/legal-advice-individuals/find-legal-advice-clinic-near-you</p>
<p>Maternity Action Free online information and telephone advice on maternity and parental rights and benefits.</p>	<p>t: 0808 802 0029 https://maternityaction.org.uk</p>
<p>Protect (formerly Public Concern at Work)</p>	<p>t: 0207 404 6609</p>

Whistleblowing charity.	www.pcaw.org.uk
Rights of Women Legal advice to women experiencing sexual harassment in work.	t: 0207 490 0152 https://rightsofwomen.org.uk
Working Families For issues around childcare and family rights in the workplace.	t: 0300 012 0312 www.workingfamilies.org.uk