



but it is important to obtain this information when both parties are present so that details may be challenged and resolved if one party does not agree with what is said.

The parties will each be given the opportunity to sum up. No further evidence will be accepted after the hearing. The arbitrator will not make or announce the decision at the hearing but will consider all the evidence before making the award.

### **The award**

You will normally receive the arbitrator's written award via the Arbitration Secretary within two weeks of the hearing. All awards are confidential to the parties.

### **Expenses**

No charge is made for the arbitration, but you are responsible for your own expenses and those of anyone else you ask to attend the hearing.

### **Further information**

If you wish to ask any further questions about the arbitration process, you should contact the Arbitration Secretary at the following address:

Arbitration Secretary  
2-8 Gordon Street  
BELFAST BT1 2LG  
Telephone: 02890 337414  
Fax: 02890 330827  
Email: info@lra.org.uk  
Website: www.lra.org.uk

#### **Arbitration Checklist.**

**In writing your written statement you should include:**

- a brief background
- the events leading up to the claim
- details of any meetings
- your reasons for thinking that the regulations have been followed/breached.
- copies of relevant paperwork

#### **Preparing for the arbitration hearing**

- send a copy of your written statement to the Arbitration Secretary fourteen days before the hearing date
- ensure that any witnesses are ready and able to attend on the agreed date
- re-read your statement before the date

#### **On the day of the hearing**

- ensure you have with you copies of both written statements
- arrive at the venue in good time and relax
- raise any difficulties with the arbitrator at the beginning of the process
- be ready to present your case and answer questions fully and openly

## **THE LRA ARBITRATION SCHEME FOR THE RESOLUTION OF FLEXIBLE WORKING DISPUTES**

*Speedy*

*Cost effective*

*Non-confrontational*

*Private*

*Informal*



*Preparing for your hearing*



***These notes are written to explain how your hearing will work and to tell you what you need to do ahead of the date. You should read this leaflet together with the Guide to the Scheme which gives a full explanation of the process.***

## **Location and date of hearing**

Your hearing will be arranged at a time and place which is as convenient as possible, usually at our local offices in Belfast and Derry. The Agency's Arbitration Secretary will contact you to agree these arrangements. Please bear in mind the need to prepare and send in your written statement setting out your case fourteen days before the hearing.

If you have any special requirements for the hearing, such as the need for an interpreter, signer, hearing loop, wheelchair access, etc, you should mention this when speaking to the Arbitration Secretary.

The Arbitration Secretary will write to you confirming the arrangements.

## **Written statements**

At least fourteen days before the hearing you should send to the Arbitration Secretary three copies of your written statement. If possible your statement should be typewritten using one side of the paper with numbered paragraphs and pages. This document is a brief explanation of the main arguments in favour of your case.

Arbitrators reach their conclusions after considering all the facts and arguments put to them by the

employer and the employee, and they always study the written statements very carefully.

It is therefore a good idea to include the following:

- a brief background to the case, the employer, its products or services, the employee's duties etc.
- details of the events which led up to the claim
- a summary of any meetings or discussions which relate to the claim
- an explanation of what you think are the most important points in your case.

At the hearing you will be given the chance to comment further in support of your case.

Where these are available, you should also supply three copies of:

- The original request to work flexibly
- A copy of the tribunal application form /employer's response form where one has been completed
- Contracts, or terms and conditions of employment statements
- Notes of meetings held to consider the request
- Letters of appointment
- Time sheets
- Any written reasons for refusing the request
- Signed witness statements

These supporting documents should also be numbered, for ease of reference

Finally, you will also need to include a list of any other people you wish to bring to the hearing, such as witnesses or representatives. It is your responsibility to ensure that these people attend and that they have details of the time and place of the hearing.

## **The hearing**

Arbitration is informal and confidential and your hearing will normally be completed in less than a day. Hearings are held in private and the procedure to be followed at the hearing is up to the arbitrator. The arbitrator will normally open the hearing by explaining his/her role and the way in which s/he will decide the case. This is to ensure that everybody fully understands the issue to be decided by the arbitrator.

The arbitrator will ask one party to put its case first, without interruption, followed by the other party's statement. Usually you or your representative will lead in presenting your case but all those present may be asked questions by the arbitrator. You may also call upon witnesses to present additional evidence.

You will not usually be asked to read your whole statement, but should explain the main points. You will be given the opportunity to comment, when invited by the arbitrator, on the other party's submission. The arbitrator will ask questions about what has been said and any questions you have can be put through the arbitrator.

At the end of the hearing the arbitrator will ask whether or not the employee would wish for an order for the request for flexible working to be reconsidered, or if a declaration and or financial compensation is all that is desired. Both parties should be able to provide written details of earnings at the point when the request was made, so that the arbitrator can make accurate calculations if financial compensation needs to be awarded. This information will only be relevant if an award is made in favour of the employee,