

GMB

YORKSHIRE AND
NORTH DERBYSHIRE

Member's Name:

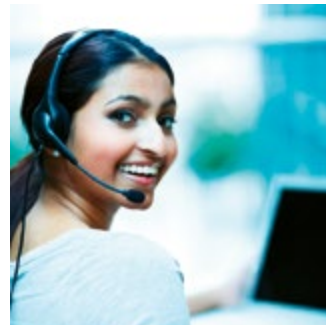
Membership No:

Work Place Rep's Name:

Membership Number:

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Member's Case Information Pack (MCIP)

Applicable for Workplace Organisers, Shop Stewards, Health & Safety Reps, Trade Union Learner Reps, Accompanying Reps

GMB Yorkshire and North Derbyshire Region

PRINT

SAVE



IMPORTANT: CHECK TIME SCALES AND DEADLINES

User guide

Filling in your case information pack

Please read carefully the instructions below to ensure you complete this pack correctly and accurately.

When filling in the "Case Information Pack" please ensure you use **BLOCK CAPITALS** and fill in all sections as accurately as possible.

MEMBER INFORMATION

To be completed by the member and steward, ensuring that all relevant information is entered accurately.

(Section 1–9 is Page 2–3)

10 – SECTION A

To be completed if Disciplinary action is being taken, please use the additional notes page if further writing space is required.

(Page 4–5)

11 – SECTION B

To be completed if there has been a Grievance submission, please use the additional notes page if further writing space is required.

(Page 6–7)

12 – SECTION C

To be completed if there are Health & Safety issues, please use the additional notes page if further writing space is required.

(Page 8–9)

13 – SECTION D

To be completed if there are Trade Union Learner Rep issues, please use the additional notes page if further writing space is required.

(Page 10–12)

14–15 CASE INFORMATION SUMMARY

(Page 12)

GUIDANCE OF USEFUL INFORMATION WHICH MAY ASSIST YOU

(Page 13)

RIGHTS AT WORK

(Page 15)

IMPORTANT: CHECK TIME SCALES AND DEADLINES

Member information

1. MEMBERSHIP DETAILS

Membership number:

2. MEMBER'S CORRESPONDENCE DETAILS

Title: First name: Initials:

Surname:

Address:

Town/city: County: Postcode:

3. MEMBER'S CONTACT DETAILS

Home:

Work:

Mobile:

Email address:

4. MEMBER'S PERSONAL DETAILS

Date of birth: Gender (male/female):

National Insurance No:

Do you have a disability? Yes No

Please state any access needs:

Ethnic origin (please tick one box only)

Bangladeshi	Chinese	Black Caribbean	Irish	Black UK
Pakistan	Black African	Indian	White other	
Asian UK	Asian other	Black other	White UK	

IMPORTANT: CHECK TIME SCALES AND DEADLINES**5. MEMBER'S EMPLOYMENT DETAILS**

Job title/occupation:

Payroll number:

Employment commenced:

Employment ended:

Permanent

Temporary

Casual

Fixed term contract

Full-time

Part time

Job share

Basic hours per week

Basic wage per week £

OR basic salary per month £

Average take home pay per week £

Average take home pay per month £

Other bonuses or benefits £

6. EMPLOYER HEAD OFFICE NAME

Address:

Postcode

7. WORKPLACE NAME

Address:

Postcode

8. WORKPLACE REPRESENTATIVES DETAILS (I.E. PERSON HANDLING THE CASE)

Membership number:

Title:

First name:

Initials:

Surname:

Address:

Town/city:

County:

Postcode:

9. EMPLOYER CONTACT – DETAILS OF MANAGER YOU HAVE BEEN DEALING WITH

Title:

First name:

Initials:

Surname:

Address:

Town/city:

County:

Postcode:

Telephone number:

IMPORTANT: CHECK TIME SCALES AND DEADLINES

Section A

10. DISCIPLINARY ACTION

Date of incident (or most recent incident) which is the subject of this case:

Date if dismissal has taken place if so inform FTO ASAP:

Date of sanction or termination date if dismissed:

ET deadline for a potential claim: (notify your full-time Officer)

Please give as much detail as possible, including dates of any incidents, meetings or conversation, and who was involved.

If a meeting or hearing as been arranged please give details below. Please attach copies of any relevant correspondence.

Date(s) of forthcoming hearing(s):

Type of hearing:

Date(s) of forthcoming meeting(s):

Type of meeting:

DISCIPLINARY HEARING INFORMATION

Date of letter:

If the member has been disciplined by the employer, please confirm whether the member has lodged an appeal in writing to the employer. If not, please explain the reason for not doing so. Otherwise please enter the date of the letter to the employer and attach a copy of this form.

If issue is not resolved at this point repeat the process using the above document until conclusion of procedure.

ADDITIONAL INFORMATION

10_Electronic_signature

Signed (please tick):

PLEASE MAKE SURE ALL SIGNATURE BOXES ARE CHECKED BEFORE SUBMITTING

Date:

DISCIPLINE

Relevant Documents	Yes	No	Relevant Documents	Yes	No
Contract of Employment			Disciplinary Appeal Hearing Invite Letter		
Disciplinary Procedure			All outcomes Correspondence		
Company Policy and Procedures			Members Previous Disciplinary Record		
Local Agreements			All Employer Correspondence		
Witness Statements					
Company Handbook					
Suspension Letter					
Disciplinary Hearing Invite Letter					
Disciplinary Appeal Letter					

IMPORTANT: CHECK TIME SCALES AND DEADLINES

Section B

11. GRIEVANCE SUBMISSION

Date of submission of grievance if submitted inform FTO ASAP:

If the member's complaint is a grievance matter, please ensure the member's complaint has been put in writing and encourage them to give as much detail as possible:

Date of sanction or termination date if dismissed:

ET deadline for a potential claim:

(notify your full-time Officer)

Date(s) of forthcoming hearing(s):

Type of hearing:

Date(s) of forthcoming meeting(s):

Type of meeting:

Stage 1, 2, 3 etc in company procedure:

Employer's response:

If issue is not resolved at this point repeat the process using the above document until conclusion of procedure.

ADDITIONAL INFORMATION

Signed (please tick):

PLEASE MAKE SURE ALL SIGNATURE BOXES ARE CHECKED BEFORE SUBMITTING

Date:

GRIEVANCE

Relevant Documents	Yes	No	Relevant Documents	Yes	No
Contract of Employment			Stage 1, 2, 3 etc Invite Letter		
Grievance Procedure			Previous Grievances Relating to Same Issue		
Company Policy and Procedures			All Employer Correspondence		
Local Agreements					
Witness Statements					
Company Handbook					
Grievance Letter of Submission					
Grievance Hearing Invite Letter					

IMPORTANT: CHECK TIME SCALES AND DEADLINES

Section C

12. HEALTH & SAFETY ISSUES

Details:

Date(s) of forthcoming hearing(s):

Type of hearing:

Date(s) of forthcoming meeting(s):

Type of meeting:

Employer's response:

If issue is not resolved at this point repeat the process using the above document until conclusion of procedure.

ADDITIONAL INFORMATION

Signed (please tick):

PLEASE MAKE SURE ALL SIGNATURE BOXES ARE CHECKED BEFORE SUBMITTING

Date:

HEALTH & SAFETY

Relevant Documents	Yes	No	Relevant Documents	Yes	No
Contract of Employment			Health & Safety Policy		
Work Place Inspections			All Employer Correspondence		
Accident Reports					
Accident Injuries					
Risk Assessment					
Safety Committee Agreement					
Company Handbook					

IMPORTANT: CHECK TIME SCALES AND DEADLINES

Section D

13. TRADE UNION LEARNING REP ISSUES

Details:

Date(s) of forthcoming hearing(s):

Type of hearing:

Date(s) of forthcoming meeting(s):

Type of meeting:

Employer's response:

If issue is not resolved at this point repeat the process using the above document until conclusion of procedure.

ADDITIONAL INFORMATION

Signed (please tick):

PLEASE MAKE SURE ALL SIGNATURE BOXES ARE CHECKED BEFORE SUBMITTING

Date:

WORKPLACE LEARNING

Relevant Documents	Yes	No	Relevant Documents	Yes	No
Contract of Employment					
Life Long Learning Agreement					
T.U.L Rep Paid Release Agreement					
Company Handbook					
All Employer Correspondence					

IMPORTANT: CHECK TIME SCALES AND DEADLINES**14. DETAILS OF FURTHER ACTION TAKEN/OR WHAT NEEDS TO BE DONE****15. ACTION TAKEN BY FT0/STEWARD OVERVIEW REPORT**

Please state what action you have taken on behalf of the member, what assistance is needed; give the dates of any forthcoming meetings or hearings. Please attach copies of any relevant correspondence.

16. FT0/STEWARD AUTHORISATION

Print name:

Signature (please tick):

PLEASE MAKE SURE ALL SIGNATURE BOXES ARE CHECKED BEFORE SUBMITTING

Date:

17. DECLARATIONS

I confirm that I have read and agree to the contents contained within this booklet and I confirm that the contents of this form are a correct record of events, and I agree to this information being shared with third party in respect of any action. GMB is registered under the Data Protection Act 1998.

Print name:

Signature (please tick):

PLEASE MAKE SURE ALL SIGNATURE BOXES ARE CHECKED BEFORE SUBMITTING

Date:

Print name:

Signature of FT0/Steward (please tick):

PLEASE MAKE SURE ALL SIGNATURE BOXES ARE CHECKED BEFORE SUBMITTING

Date:

Guidance of useful information which may assist you

Don't forget to provide photocopies

DISCIPLINE

Contract of Employment
 Disciplinary Procedure
 Company Policy and Procedures
 Local Agreements
 Witness Statements
 Company Handbook
 Suspension Letter
 Disciplinary Hearing Invite Letter
 Disciplinary Appeal Letter
 Disciplinary Appeal Hearing Invite Letter
 All outcomes Correspondence
 Members Previous Disciplinary Record
 All Employer Correspondence

HEALTH AND SAFETY

Contract of Employment
 Work Place Inspections
 Accident Reports
 Accident Injuries
 Risk Assessment
 Safety Committee Agreement
 Company Handbook
 Health & Safety Policy
 All Employer Correspondence

GRIEVANCE

Contract of Employment
 Grievance Procedure
 Company Policy and Procedures
 Local Agreements
 Witness Statements
 Company Handbook
 Grievance Letter of Submission
 Grievance Hearing Invite Letter
 Stage 1, 2, 3 etc Invite Letter
 Previous Grievances Relating to Same Issue
 All Employer Correspondence

WORKPLACE LEARNING T.U.L. REP

Contract of Employment
 Life Long Learning Agreement
 T.U.L Rep Paid Release Agreement
 Company Handbook
 All Employer Correspondence

IMPORTANT: CHECK TIME SCALES AND DEADLINES

ADDITIONAL INFORMATION

Signed (please tick):

***PLEASE MAKE SURE ALL SIGNATURE BOXES
ARE CHECKED BEFORE SUBMITTING***

Date:

Rights at work

Employees and workers have a number of employment rights which can be enforced in the Employment Tribunal.

The most common rights are:

- The right not to be unfairly dismissed:
- Unlawful deductions from wages:
- The right not to be discriminated against because of sex, race, disability, religion or belief, age and sexual orientation, gender reassignment, marriage and civil partnership, pregnancy and maternity

This guide sets out the strict time limits that apply and the length of service needed to be able to bring a particular claim in an Employment Tribunal. You should seek early advice from your full-time officer as soon as possible.

The type of claim you can bring in an Employment Tribunal is also dependent on:

- Whether there is a contract of employment and
- Your length of service

In most cases your member should pursue a grievance or an appeal but note this does not extend ET time limits.

If you think your member has a claim you should contact your full-time officer as soon as possible

DISMISSAL

Employment Tribunal Claim	No. of years service	Time limit
Written reasons for dismissal.	1 year if employment started before 6 April 2012. 2 years if employment is from or after 6 April 2012	3 months less 1 day of Effective Date of Termination.
Unfair dismissal.	1 year if employment started before 6 April 2012. 2 years if employment is from or after 6 April 2012	3 months less 1 day of Effective Date of Termination.
Unfair Dismissal for taking part in industrial action.	None	6 months less one day from the date notice of dismissal was given, or if no notice was given, the date of dismissal.
Unfair Dismissal connected with pregnancy, maternity, parental or dependent care.	None	3 months less 1 day from the Effective Date of Termination.

Information correct at time of going to print and is subject to change

IMPORTANT: CHECK TIME SCALES AND DEADLINES**REDUNDANCY/BUSINESS TRANSFERS**

Employment Tribunal Claim	No. of years service	Time limit
Redundancy payment.	2 years	6 months less one day starting with 'relevant date'.
Consultation with appropriate representatives over proposed redundancies.	None	Either before dismissal or 3 months less 1 day starting with Effective Date of Termination.
Failure to consult with appropriate reps over a business transfer.	None	3 months less 1 day starting with date of transfer.

DISCRIMINATION

Employment Tribunal Claim	No. of years service	Time limit
Claims on grounds of sex, race, disability, age, religion or belief, sexual orientation, gender reassignment, marriage or civil partnerships, equal pay.	None	3 months less 1 day starting with the date of the act complained of.

TRADE UNION & UNION MEMBERS

Employment Tribunal Claim	No. of years service	Time limit
Interim relief pending claim for dismissal on grounds of trade union membership or activities.	None	7 days immediately following Effective Date of Termination.
Right not to suffer detriment as a result of being a union member or taking part in union activities.	None	3 months less 1 day starting with the date of (last) act or failure to act.
Complaint by a worker about inducements relating to trade union membership or activities, or to collective bargaining.	None	3 months less 1 day beginning when the offer, or last offer, was made.

NOTES

IMPORTANT: CHECK TIME SCALES AND DEADLINES**TIME OFF**

Employment Tribunal Claim	No. of years service	Time limit
Right to paid time off to look for work where notice of dismissal by reason of redundancy has been given.	2 years	3 months less 1 day starting with the day time off should have been allowed.
Right to paid time off for antenatal care.	None	3 months less 1 day from the date of appointment.
Right to unpaid time off to care for dependants.	None	3 months less 1 day from the date when refusal occurred.
Right to paid time off for safety representatives.	None	3 months less 1 day from when the failure occurred.
Right to paid time off for union duties.	None	3 months less 1 day from when the failure occurred.
Right to unpaid time off for union activities.	None	3 months less 1 day from when the failure occurred.

MATERNITY & PARENTAL LEAVE

Employment Tribunal Claim	No. of years service	Time limit
Right to 13 weeks' unpaid parental leave in respect of each child, 18 weeks for parents of disabled children.	1 year	3 months less 1 day from when employer refuses right.
Right not to suffer detriment in relation to pregnancy, maternity leave, adoption leave, paternity leave, parental leave, or time off for dependents.	None	3 months less 1 day starting with the date of (last) act or failure to act.

NOTES

IMPORTANT: CHECK TIME SCALES AND DEADLINES**WORKING TIME REGULATIONS**

Employment Tribunal Claim	No. of years service	Time limit
Right to daily rest.	None	3 months less 1 day from date when right should have been permitted.
Right to weekly rest.	None	3 months less 1 day from date when right should have been permitted (or, if rest period extended over more than 1 day, date when right should have been permitted to begin).
Right to rest breaks.	None	3 months less 1 day from date when right should have been permitted.
Right to compensatory rest in a case where the working time regulations are modified or excluded.	None	3 months less 1 day from date when right should have been permitted.
Right to annual leave.	None	3 months less 1 day from when the right should have been permitted (or, if leave extended over more than 1 day, date when right should have been permitted to begin).
Right to payment in lieu of holiday on termination of employment.	None	3 months less 1 day from the date payment should have been made.
Right to pay during annual leave.	None	3 months less 1 day from the date payment should have been made.

NOTES

IMPORTANT: CHECK TIME SCALES AND DEADLINES**MISCELLANEOUS**

Employment Tribunal Claim	No. of years service	Time limit
Unlawful deduction from wages.	None	3 months less 1 day from date of (last) deduction.
Right to be accompanied at a grievance or disciplinary hearing.	None	3 months less 1 day from the date of failure or threat of failure.
Unlawful infringement of human rights by public body (Human Rights Act).	None	1 year from the date of the act complained of.
Right not to be treated less favourably because of part-time status.	None	3 months less 1 day from the date of less favourable treatment.
Right not to be treated less favourably because of fixed-term status.	None	3 months less one day from the (last) date of the act complained of.
Right not to suffer detriment in relation to: health and safety; Sunday working; jury service; performing functions as a pension trustee or as an employee representative; time off for study or training; protected disclosures; dependant care leave; part-time working; right to be accompanied at a grievance or disciplinary hearing; national minimum wage; European Works Councils; or payment of tax credits by the employer.	None	3 months less 1 day starting with the date of (last) act or failure to act.
Contract claim by employee.	None	3 months less 1 day starting with Effective Date of Termination. If the employee is still in work s/he cannot bring a claim in the Employment Tribunal but may bring a claim in the county court. The deadline for a county court claim is 6 years from the breach of contract.

NOTES

IMPORTANT: CHECK TIME SCALES AND DEADLINES

Case file content

Checklist

Number	Document Title	Tick	Number	Document Title	Tick
1			15		
2			16		
3			17		
4			18		
5			19		
6			20		
7			21		
8			22		
9			23		
10			24		
11			25		
12			26		
13			27		
14			28		

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IMPORTANT: CHECK TIME SCALES AND DEADLINES

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