**NAECI**

**APPLICATION TO AN NJC DISMISSAL ARBITRATION PANEL
(NAECI 15.8.2(a) AND APPENDIX F.1)**

**DISARB Form v1.6**

**Dismissal Arbitration Panel Possible Outcomes**

Awards of the NJC Dismissal Arbitration Panel, which shall be binding on both parties, are restricted to one of the following four decisions:

 (i) Confirmation of dismissal;

 (ii) Re-employment on a specified date with or without continuity of employment;

 (iii) Re-instatement with continuity of employment and without loss of pay; or

 (iv) In conjunction with either (ii) or (iii) above, and if appropriate, a written warning.

**It is not within the NJC Dismissal Arbitration Panel's jurisdiction to make a financial award.**

***Notes:***

Please read the following notes carefully before completing the application overleaf.

1. *Please make sure you have read the relevant provisions of NAECI 15.6 and Appendix F before completing this application.*
2. *If you require any help in completing this application or have a general question about the NJC Dismissal Arbitration procedure, please contact the NJC on 020 7734 0244 (available 9am to 5pm Monday to Thursday, 9am to 4pm Friday), or by email: enquiries@njceci.org.uk.*
3. *The NJC regrets that our staff cannot provide any legal advice.*
4. *Please see the General Data Protection Regulations consent statement in section 7 of this application form.*
5. ***The application will not be processed unless Form questions 5.2(d) and 5.3 can be answered affirmatively. Any application without these will be disallowed.***

1. **Dismissed Employee’s details**

|  |
| --- |
| 1.1 Title Mr [ ]  Mrs [ ]  Miss [ ]  Ms [ ]  Other (specify) |
| 1.2 First name (or names)  |
| 1.3 Surname or family name  |

**2. Representative’s details**

|  |
| --- |
| 2.1 Representative’s name  |
| 2.2 Signatory trades union Unite the Union [ ]  GMB [ ]  |
| 2.3 Position in union  |
| 2.4 Address  |
|   |
|  Postcode  |
| Phone No Email address  |

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**3. Employer details**

|  |
| --- |
| 3.1 Company/business name  |
| 3.2 Address  |
|   |
|  Postcode  |
| Phone No Email address  |

Where an application concerns TWO OR MORE employers, please duplicate the present page and complete separately for each company.

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| 3.3 Site(s)/contract(s) on which dismissed employee was working immediately before he/she was dismissed  |
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|  |
|  |
| **4. Employment details**4.1 Date when employment with company started (dd/mm/yyyy)  |
| 4.2 Date when employment ended/will end (dd/mm/yyyy)  |
| 4.3 Job title/occupation & NAECI Grade  |
| **5. Procedural matters**5.1 Basis of application to NJC(a) Appeal against disciplinary dismissal (excluding probationary period) [NAECI 15.8.1(a)] [ ]   |
| (b) Appeal against redundancy dismissal (matrix selection) [NAECI 15.8.1(b)] [ ]   |
| (c) Appeal against redundancy dismissal (non-matrix selection) [NAECI 15.8.1(b)] [ ]  |

5.2 Procedural chronology

|  |
| --- |
| 1. Date(s) of formal meeting with the employer at/after which employee was notified of his/her dismissal [ dd/mm/yyyy]
 |
| 1. Date(s) of domestic appeal (if any) [dd/mm/yyyy]
 |
| 1. Date(s) of Stage 2 meeting [dd/mm/yyyy]
 |
| 1. NAECI 15.8.2(a) compliance: Was the employer advised in writing, within 5 working days of the failure to agree at Stage 2, of the intention to proceed to Stage 4? **Yes – Tick here** [ ]

**Please include evidence within the supporting paperwork**. **An application without this will be disallowed.**  |

5.3 Jurisdiction

NAECI 15.8.1(a)(ii) provides that where an individual wishes to challenge a dismissal, he/she may have the option of applying either to an employment tribunal or to an NJC Panel, but not to both.

Please tick the box below to confirm all three of the following statements:

1. An ET1 challenging the dismissal has not been submitted to date; and

(b) An ET1 challenging the dismissal will not be submitted any time in the future; and

(c) The trade union and the applicant agree to be bound by the NJC Panel’s decision to dismiss or uphold the application.

Tick here [ ]

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|  |
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| **6. Ground(s) of appeal**Please set out below a short statement summarising concisely the essential ground(s) on which the dismissal is being challenged, including (but not necessarily limited to) any relevant part(s) of Annex A or B of NAECI Appendix F.  |
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**7. Consents**

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 **Applicant Consent**

|  |
| --- |
| **I give my consent to the NJC office to process my claim and I understand that this will mean that any personal information about me in the claim and supporting documentation will be shared with the respondent and their representatives as well as the Stage 4 Panel. I understand that the data will destroyed / deleted within four weeks of the Hearing date.**Signed |
| Print name  |
| Date  |

**Representative Consent**

**In pursuance of my member’s claim I fully accept responsibility for data under GDPR. Where there are references to other individuals other than the applicant, I enclose / attach a consent form authorising the sharing of their data with the respondent and the Stage 4 Panel, or will redact the names before submission where there is no consent. I accept that where I have not submitted an agreed consent form that their names will be redacted by the NJC office prior to the paperwork being issued to the respondent and Panel.**

|  |
| --- |
| Signed |
| Print name  |
| Position  |
| Date  |