

SCHEDULE

The Labour Relations Agency Arbitration Scheme

PART XII

Arrangements for the hearing

Initial arrangements

50. A hearing must be held in every case, notwithstanding any agreement between the parties to the contrary.

51. Once an arbitrator has been appointed a hearing shall be arranged by the LRA as soon as reasonably practicable.

52. The LRA, in conjunction with the arbitrator, shall decide the date and venue for the hearing.

53. The LRA shall contact all parties with details of the date and venue for the hearing.

Expedited hearings

54. The arbitrator may expedite the hearing on the application of any party if, in the arbitrator's opinion, relevant circumstances exist.

Venue

55. Hearings will be held in the LRA Head or Regional Office. In exceptional circumstances alternative venues may be considered. Any formal application for a venue other than the LRA offices must be made, in writing, with reasons, to the LRA within 14 days beginning with the date of the letter notifying of the hearing arrangements. Such applications will be determined by the LRA after all parties have received a copy of the formal application and been given a reasonable opportunity to respond.

Assistance

56. Where a party needs the services of an interpreter, signer or communicator at the hearing, the LRA should be so informed well in advance of the hearing. Where such assistance is required, the LRA shall meet the reasonable costs of providing this.

Travelling expenses or loss of earnings

57. Subject to paragraph 58, every party shall meet its own travelling expenses and those of its representatives and witnesses.

58. No loss of earnings is payable by the LRA to anyone involved in the arbitration. However, where an arbitrator upholds a claim, he or she may include in the calculation of any compensation a sum to cover reasonable travelling expenses and loss of earnings incurred by the claimant personally in attending the hearing.

Applications for postponements of initial hearings

59. Any application for a postponement of an initial hearing must be made in writing, with reasons, to the LRA within 14 days beginning with the date of the letter notifying the hearing arrangements or, where this is not practicable, as soon as is reasonably practicable. Such applications

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will be determined by the arbitrator without an oral hearing after all parties have received a copy of the application and been given a reasonable opportunity to respond.

60. If the application is rejected, the initial hearing will be held on the original date.

61. This provision does not affect the arbitrator's general discretion with respect to postponements after an initial hearing has been fixed, or with respect to other aspects of the procedure. In particular, procedural applications may be made to the arbitrator at the hearing itself.