

Format for a Stage Two Dispute Hearing

1. Introduction

- 1.1 The stage 2 hearing manager will make introductions and outline the process to be followed to ensure that everyone present understands what is going to happen.
- 1.2 The stage 2 hearing manager will be advised by a member of HR.

2. Presentation of the Trade Union's case

- 2.1 The Trade Union presents their case, referring to any relevant documents and calling any witnesses as appropriate.
- 2.2 The stage one hearing manager and their HR advisor may question the employee or any of the witnesses on their evidence.
- 2.3 The stage 2 hearing manager may also question any person present.
- 2.4 Each witness will join the hearing to give evidence and leave after doing so, although they may be recalled at any time if necessary.

3. Presentation of the employer's case

- 3.1 The stage one hearing manager will present their case highlighting key points, referring to any relevant documents and calling any witnesses as appropriate.
- 3.2 The Trade Union may question the manager or any witnesses on their evidence.
- 3.3 The stage 2 hearing manager or the HR Advisor may also question any person present.
- 3.4 Each witness will join the hearing to give evidence and leave after doing so, although they may be recalled at any time if necessary.

4. Summing up

- 4.1 The Trade Union summarises the main points of their case.
- 4.2 The stage one hearing manager summarises the main points of their case.
- 4.3 At this stage no new evidence may be introduced.
- 4.4 The hearing is then adjourned and both parties leave the meeting.

5. The decision

- 5.1 The hearing manager will consider whether, on the balance of probability, the trade union's case was proven in full, in part or not at all.
- 5.2 The hearing manager should take into account any mitigating circumstances and if further clarification or information is required in order to reach a decision, all parties will be recalled and/or the hearing adjourned until the information is provided.
- 5.3 The hearing manager may seek advice from legal and will be advised by their HR Advisor.
- 5.4 Once the hearing manager has reached a decision, all parties will be recalled to the hearing and the stage 2 hearing manager will notify both parties of this. Should this not be possible the decision will be confirmed in writing within 7 days of the hearing.

