

Guidance Notes: Completion of a Complaint to the Employment & Equality Tribunal

These guidance notes have been prepared to assist with the completion of a complaint to the Employment & Equality Tribunal ("the Tribunal"). They do not purport to be a complete or definitive statement of the law.

Further information about the Tribunal is available at the Website: <https://www.courts.im/court-procedures/tribunals-service/tribunals>

(i) Please read these notes carefully before completing your complaint to the Tribunal.

A complaint must be presented by completing the complaint form and must include certain information as required under the provisions of the Employment & Equality Tribunal Rules 2018 ("the Rules"). The complaint form indicates which questions are mandatory for you to answer.

(ii) You may wish to discuss the matter before making a Complaint.

In such circumstances you should contact:

(a) For **work** related issues the Manx Industrial Relations Service, who provide a free and impartial service, and are available to talk to individuals and employers with regard to matters such as employment rights and employment disputes. They can seek to resolve matters through conciliation either prior to a complaint being made to the Tribunal, or after a Complaint and Response have been submitted.

The Manx Industrial Relations Service can be contacted as follows:

Tel: +44 1624 672942
Email: iro@mirs.org.im
Website: www.mirs.org.im

(b) For **education** related issues the person appointed by the Department of Education, Sport and Culture to conciliate in proceedings.

The Department can be contacted as follows:

Tel: +44 1624 685820
Email: admin@doe.gov.im
Website: www.gov.im/about-the-government/departments/education-sport-and-culture/information-and-publications/e/equality-in-education/

(c) For **any other issue arising under the provisions of the Equality Act 2017** the Office of Fair Trading.

The Office of Fair Trading provides a conciliation service and can be contacted as follows:

Tel: +44 1624 687540
Email: Equality.OFT@gov.im
Website: www.gov.im/about-the-government/statutory-boards/isle-of-man-office-of-fair-trading/equality-act-2017-goods-and-services/

Help may also be available from other sources or you may wish to seek legal advice.

(iii) It should be kept in mind that **strict time limits** apply with regard to bringing a complaint to the Tribunal. Details of the specific time limit applicable in respect of any particular complaint can be obtained by contacting the Manx Industrial Relations Service. **Please note that discussions with the Manx Industrial Relations Service, or other sources, will not alter or extend the time limits.**

Making a Complaint Outside a Relevant Time Limit

If you are making a complaint outside a relevant time limit imposed by law, a written application to the Tribunal to extend the time for bringing the complaint must be submitted with your complaint, **including** an explanation as to why you could not comply with the time limit. If no such application is made, the complaint will be returned and treated as if it had not been presented.

Filling in the Complaint Form

As indicated below by questions marked with an asterisk (*), certain **information must be provided in the complaint** otherwise the complaint will be returned and treated as if it had not been presented.

Please note that a **complaint form may only be used by one complainant** to present their complaint.

Complainant's Details:	
Title	Tick the relevant box/indicate to confirm your title.
*Forenames(s)	Give your forename(s) in full.
*Surname	Give your surname.
Date of birth	Give your date of birth in day/month/year format (for example 25/June/1970).
*Address inc. Postcode	<p>Give your full postal address including the postcode.</p> <p>This will be the address to which correspondence will be sent unless you have chosen to be represented by someone else and have provided their details (in the "Complaint that you wish the Tribunal to Consider" section). If you have chosen to be represented by someone else, correspondence will only be sent to that person.</p> <p>If you or your representative change address, or if you choose to be represented by someone else at a later date, you should immediately provide notice of such change to the Clerk and to the other party or parties and to the Manx Industrial Relations Service (or other conciliator).</p>
Mobile/Home/Work Telephone Numbers	If you are happy to be contacted by telephone during normal working hours, please provide mobile, home and/or work telephone numbers as appropriate (including the full dialling code).
Email Address	If you are happy to be contacted by email please provide your email address. If you provide an email address you should ensure that you check your emails every day as all correspondence will be by e-mail.

Complaint(s) that you wish the Tribunal to Consider:	
*Nature of the complaint or complaints that you are asking the Tribunal to consider.	For example Unfair Dismissal, Unlawful Deduction from Pay, Sex Discrimination etc. Remember that a complaint for Unlawful Deduction from Pay includes a complaint for non-payment of monies you believe you are owed.
*Explain briefly the facts giving rise to each of the complaint or complaints that you wish the Tribunal to consider.	For example if you are complaining of an Unlawful Deduction from Pay, please explain why you believe you are entitled to this payment, how much you are claiming and how you have worked this out. If you are complaining of more than one type of payment please give the amounts claimed and how you worked out each amount.

<p>*Will you be representing yourself - Yes/No?</p>	<p>Fill in this section to indicate whether or not you have chosen to be represented by another person. If you select, "Yes" then no further information is required in this section. If you select, "No" you need to fill in the Representative's details below.</p> <p>Once the details of a representative have been provided all future correspondence will only be sent to that person, not to you. You can choose to be represented by someone at any time and, if you choose to be represented at a later date you should immediately give notice of your representative to the Clerk and to the other party or parties and, where appropriate to the Manx Industrial Relations Service (or other conciliator).</p>
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<p>Representative's Details:</p>	
<p>Title</p>	<p>Tick the relevant box/indicate to confirm your representative's title.</p>
<p>*Forenames(s)</p>	<p>Give your representative's forename(s) in full.</p>
<p>*Surname</p>	<p>Give your representative's surname.</p>
<p>*Address inc. Postcode</p>	<p>Give your representative's full postal address including the postcode.</p> <p>This will be the address to which all correspondence will be sent in future.</p> <p>If you or your representative change address, or if you choose to be represented by someone else at a later date, you should immediately provide notice of such change to the Clerk and to the other party or parties and where applicable Manx Industrial Relations Service (or other conciliator).</p>
<p>Mobile/Home/Work Telephone Numbers</p>	<p>If your representative is happy to be contacted by telephone during normal working hours, please provide mobile, home and/or work telephone numbers as appropriate (including the full dialling code).</p>
<p>Email Address</p>	<p>If your representative is happy to be contacted by email please provide their email address. If your representative does provide an email address you should ensure that they check their emails every day as all correspondence will be by e-mail to them.</p>

<p>Details of Respondent(s):</p>	
<p>The Respondent is the employer, organisation or individual(s) against whom your complaint is made. In some cases there may be more than one Respondent to a complaint, in which case the details for any additional Respondent(s) should be provided utilising the tick box option below in this section.</p>	
<p>*Respondent's name</p>	<p>Before completing this section it is important that you should carefully consider who it is that you are complaining against, and ensure, as far as you are able to that you accurately identify the details of the Respondent.</p> <p>For example, even if a Complainant works in a business generally known as "Joe Soaps" the Respondent's correct details may in fact be "Joe Soap Limited" or "Joe Soap & Fred Bloggs trading as Joe Soaps". Your Job Offer, Terms & Conditions of Employment or Pay Statement may help in identifying the correct details of the Respondent.</p>
<p>*Address inc. Postcode</p>	<p>Give the full postal address, including the postcode, for the Respondent. It is important that you accurately identify, as far as you are able, the correct full address details of the Respondent.</p>
<p>Contact Telephone Number</p>	<p>Please give an appropriate telephone number (including the full dialling code) where the Respondent can be contacted during normal working hours.</p>
<p>Email Address</p>	<p>If the Respondent has an email address which they are contactable on, please provide the details in this box.</p>

Employment Details

If you are not, or were not, an employee, but are, or were, a worker providing services to the Respondent (examples of which might include an agency worker, a casual worker or a freelance worker), please answer this question as if "employment" referred to your working relationship with the Respondent. (Note if you are not, or were not, an employee your employment rights may be more limited than if you are, or were, an employee).

When did your employment start?

If your complaint is against your employer or ex-employer, please give the date when your employment started in day/month/year format (for example 10/June/1990) and, if applicable, the date when it ended or is due to end.

*Are you, or were you, an employee of the respondent?

Please indicate if you are, or were, an employee of the Respondent using the appropriate option button.

Job Title

If you have selected the "Yes" option button, then indicate your job title.

How much are, or were, you paid?

Please provide details of how much you are or were paid by the Respondent, firstly in terms of your pay (gross) before deductions for Income Tax and National Insurance Contributions, and then your normal take-home (net) pay (in other words including overtime, commissions and bonuses but after deductions for Income Tax and National Insurance Contributions).

Indicate using the option buttons the frequency of the pay that you have indicated.

Please also indicate if you have any additional earnings or benefits – if "Yes" then provide details in the box.

Supporting Documentation

You **can not** submit any supporting documentation or evidence with this form. If you plan to rely upon documentation or evidence later in the proceedings please provide a simple list of it, for example: 1. Contract of Employment; 2. Pay Slip etc.

Extension of Time Application

If you are making a complaint outside a relevant time limit imposed by law, a written application to the Tribunal to extend the time for bringing the complaint must be submitted with your complaint, including an explanation as to why you could not comply with the time limit. If no such application is made, the complaint will be returned and treated as if it had not been presented. Please use the box to make your application giving as much detail as possible.

Additional Needs

Should you have any additional needs, e.g. any reduced mobility, or restriction in your vision or hearing, or English is not your first language, please let us know if we need to make any special arrangements for you when dealing with your case (e.g. if we need to arrange for a hearing loop, interpreter etc.). If you are unsure, please feel free to contact the Clerk and discuss the matter as appropriate.

*Declaration

Please check that you have answered all of the questions to the best of your ability using the "Review" function and, once you are satisfied, you should complete the declaration by entering the full name of the individual who has completed the form.

Data Protection

As a statutory requirement some of the information you give us on this form will be held electronically and on a Public Register/Website. We will also send a copy of this form to the respondent(s) and any third party relevant to your complaint, e.g. the Manx Industrial Relations Service (or other conciliator). Except with your express permission we will not send any of your information to any other person whom we don't have an obligation in law to make aware of the complaint.

You need to agree with the above statements and tick the box.

Press the "submit" button to electronically submit your complaint to the Clerk to the Tribunal.

Further Assistance:

If you have any difficulties in completing the form then the Clerk to the Employment & Equality Tribunal can be contacted as below.

Clerk to the Employment & Equality Tribunal
Tribunals Office
Murray House
Mount Havelock
Douglas
Isle of Man
IM1 2SF.

Contact details:

Tel: +44 (0)1624 685941

Email: tribunals@gov.im

Office opening hours

[9:30am to 4:30pm Monday to Thursday](#)
[\(4:00pm Friday\)](#)

