



NATIONAL UNION OF RAIL, MARITIME & TRANSPORT
WORKERS
Application for Legal Assistance
EMPLOYMENT TRIBUNAL

**Form
L2**
 Amended July 2024

CLAIMS

Title: First Names Surname.....

Membership No Date of birth

Date joined RMT Branch

Address

..... Post Code

Davtime phone No Mobile..... Email

Date of dismissal/Date when matter or last act the member is complaining about took place:/...../.....

Date received by Regional Organiser:/...../.....

Date received at Head Office:/...../..... File ref

IMPORTANT: TIME LIMITS

Please complete this form and send it to your Regional Organiser to enable your claim to be recorded. Do not delay in submitting the form with the fullest possible detail and relevant papers.

The time limit for lodging a claim in the Employment tribunal is very short. The application must be submitted within the time limits laid down for each piece of employment legislation. Time generally runs from the date of the act complained of. Although there are exceptions, the limit for most employment claims is three months. Do not wait for finalisation of any grievance or disciplinary/appeal procedure before sending in this Form L2.

If this form and all related papers are received by the Head Office 6 weeks before the deadline, and the case has reasonable prospects, assistance will be provided to complete the ET1 Form. The Union accepts no liabilities in respect of lodging or not lodging such claims. Forms can be completed on-line at www.employmenttribunals.gov.uk. When completing the Form ET1 leave the box marked 'Representation' blank. Please print two spare copies of the form just before sending - one to be retained by you and the other copy to be handed to the Regional Organiser/office with this completed form. Please note that before an Employment Tribunal will accept an ET1 you must have submitted the claim to ACAS and apply for conciliation to see if a settlement can be reached. Application must be made within the 3 months less one day time limit. An Employment Tribunal will no longer accept an ET1 on its own. The ET1 must now be accompanied by the certificate from ACAS stating that negotiations/ conciliation were unsuccessful.

TERMS UPON WHICH THE UNION AND THEIR LAWYERS UNDERTAKE CLAIMS

Legal representation is discretionary and according to Rule. The Union's Lawyers will assess the prospects of success of the claim and advise the Union and member whether the claim stands a reasonable prospect of success. If it does not, it is unlikely the Union will support the claim.

Completing this form creates no obligation on the Union or their lawyers to take on a member's claim or continue to represent the member in an Employment Tribunal if the member's claim does not stand a reasonable prospect of success at any stage in the proceedings. Consideration for support for conciliation will be considered.

Further, if the member refuses to accept an offer that the Union's lawyers have advised is reasonable, or if the member fails to cooperate with or provide prompt instructions to the Union's lawyers or instructs the Union's lawyers to conduct the case in an unreasonable way, then the Union can instruct the lawyers to cease acting in the case. In such circumstances, the Union and their lawyers will not be responsible for any costs incurred by the member from the date of ceasing to act.

RULE 15.4

If it becomes apparent that a member has at any stage sought or used external legal advice, the union will withdraw legal assistance under union rule 15.4 which states: "The member must accept the legal advice subject to the rules. The union will withdraw legal assistance where external legal advice is being given or used."

DECLARATION BY MEMBER

1. I hereby certify that I have read and understood the basis upon which the Union and their Solicitors will pursue my claim in an Employment Tribunal. Should I fall into arrears of contributions, the Solicitors will be instructed to take no further action on my behalf until I have paid the outstanding arrears.
2. I hereby authorise the Union's lawyers to deduct from any compensation recovered arrears of contributions calculated by the Head Office of the RMT.
3. Under the Data Protection Act, 1998, I must give express consent for the processing of personal data. In giving this consent, I accept that the information relevant to my case must be accessible to designated/appropriate Union lawyers, RMT Officers and staff. Further, I understand that should representation be declined and a subsequent appeal be lodged under Rule, a précis of my case will be published in the relevant Decisions of the Council of Executives or Annual General Meeting.
4. I hereby authorise the Union's lawyers to disclose to the Union details of my claim including terms of settlement and/or Tribunal awards and agree that the Union may use this information for the purposes of publicity and /or recruitment including disclosure in any media.
5. I also authorise the Union or Union Solicitors to make any deduction from my award any costs paid by the Union in accordance with my signed Agreement.

Signed _____

Dated _____

DECLARATION BY REGIONAL ORGANISER

1. I certify that this member is in benefit in accordance with Rule 2. I will inform Head Office if, to my knowledge, the member falls out of benefit during the progress of this claim.
2. I confirm that I have explained the above declaration to the member who has agreed to instruct the Union and their lawyers on that basis.

Signed _____

Dated _____

MEMBER'S CLAIM

Please tick the box for the type of complaint you want a Tribunal to decide. If more than one complaint, tick each appropriate box.

Other (please provide full details)

Unfair Dismissal
Redundancy Pay
Unlawful deduction from wages
Monies Due on Termination

Discrimination on the grounds of:

Sex
Race
Religion/Belief
Sexual orientation
Age
Disability

Have you raised the matter as a grievance with your employer? Yes No

If so, please send a copy of any grievance letters, minutes of hearings etc.

Have you already submitted an Originating Application (ET1) to the Tribunal? Yes No

Have you applied for Conciliation via ACAS? Yes No

If yes, please send a copy with this form.

CONTRIBUTIONS

It is important to understand that while a claim in an Employment Tribunal is proceeding on a member's behalf it is the member's responsibility to remain in benefit in accordance with Rule 2. This usually means that membership contributions must be paid while legal assistance is being provided. If you do not think this applies to you, please call our membership department to check.

