

No. 416/19

4<sup>th</sup> July 2019

Dear Colleagues,

## ROYAL MAIL GROUP HOLIDAY PAY – EMPLOYMENT TRIBUNAL DOCUMENTATION

Further to previous LTBs and information provided to Branches concerning the issue of average pay on annual leave, the Department is pleased to report that this matter is gaining momentum.

It is apparent that the volume of Early Conciliation (EC) claims continues to grow on a daily basis, along with the number of cases that have resulted in an ACAS certificate number being issued. In light of this the Department is issuing the following guidance to Branches that must be followed once the ACAS process has been completed - either without an offer of settlement being made or where the offer and/or terms are not acceptable.

Once an ACAS certificate number is received it should promptly be forwarded to the member concerned who must then immediately complete the online Employment Tribunal application form (ET1) to ensure that the claim does not become “timed out” and therefore potentially null/void.

Branches and Legal Secretaries are advised that the following documentation must be submitted to the Employment Law Department once an Employment Tribunal claim has been registered:

- The ACAS certificate.
- Any email exchanges with ACAS.
- The ET1 application form and reference number as well as any documents submitted in support of the application.
- The ET3 response form from the employer.
- A copy of any grievances that have been successfully lodged by the member and the employer’s response to the grievances.
- Details as to when the member took the holiday that he/she believes he/she was paid incorrectly for including:
  - When the holiday was taken
  - When the member was paid for this holiday
  - What the member was paid
  - Any evidence of the amount the member were paid, for example, wage slips
  - Wage slips for the 12 week period before each holiday that the member believed he/she was paid incorrectly for.

The Employment Law Department has been provided with a generic OPG contract of employment but members can also request an individual contract from HR Services in Sheffield which can be included in the paperwork above.

The Department is confident that this list will assist Branches in compiling paperwork for each case, therefore avoiding the need for numerous e-mail exchanges.

### **COT3 Form**

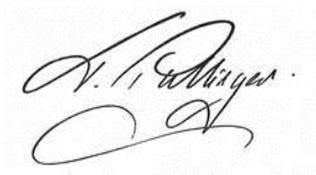
Branches should note that we have exchanged further drafts with the Business around paragraph 2 of the COT3 form and are currently awaiting their response which it is anticipated will be agreed in the near future.

I can also report that a further meeting is due to be held with management next Tuesday and updates will be provided in due course.

In closing, both the Department and Postal Executive would like to thank all colleagues for their ongoing hard work and efforts in relation to maximising the number of claims that are being registered which will help to ensure that members ultimately receive what is rightfully theirs.

Any enquiries in relation to the content of this LTB should be addressed to the DGS(P) Department.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'T. Pullinger', is centered on the page. The signature is fluid and cursive, with a large initial 'T' and a long, sweeping underline.

Terry Pullinger  
**Deputy General Secretary (Postal)**