

THE INDUSTRIAL TRIBUNALS

CASE REF: 6286/19

CLAIMANT: Kathleen Leer

RESPONDENT: Doctors Katie Garvin, Alison Rodgers, Noel McElvanna, Alan Glendinning, Suzanne McGleenon, Patrick Mulholland practising as Archway Surgery.

DECISION ON A PRE-HEARING REVIEW

The decision of the tribunal is that, by consent, the claim is amended to add an additional claim of unfair dismissal. The respondent is also allowed a further 14 days to lodge an amendment response in that respect.

CONSTITUTION OF TRIBUNAL

Vice President (Sitting Alone): Mr N Kelly

APPEARANCES:

The claimant was represented by Ms Laura Crilly.

The respondents were represented by Ms McCleary of Carson McDowell LLP Solicitors.

1. This claim had been registered as a claim of breach of contract/unauthorised deduction from earnings in respect of a salary level.
2. The claim had been completed by the claimant when unrepresented and did not specifically mention the words "*unfair dismissal*" although it seems clear from the content of that claim that that is what had been intended.
3. With the consent of the respondents and, to the extent that is necessary, the claim is amended to include an additional claim of unfair dismissal.
4. The respondent is allowed an additional 14 days from the day of the issue of this decision to lodge an amended response.
5. The procedure at the hearing and the witness statement procedure together with a Witness Attendance Order procedure was explained to the claimant.

6. Either party may exchange Notices for Additional Information and/or Discovery on the other party *by first class post or by email no later than 5.00 pm on 18 October 2019.*
7. Any party in receipt of any such Notice shall reply in full to the other party again *by first class post or by email no later than 5.00 pm on 8 November 2019.*
8. The parties shall exchange **signed and dated** witness statements in respect of liability and remedy, *by first class post or by email no later than 5.00 pm on 29 November 2019.*
9. The claimant shall attach a one page calculation of alleged financial loss (loss of wages in respect of both her claim of alleged unfair dismissal and her claim of alleged breach of contract and unauthorised deduction from wages) to her witness statement exchanged as above.
10. The respondent's solicitor shall lodge four copies of the exchanged witness statements and four copies of the exchanged relevant documentation (without duplication and with an Index) in the Tribunal Office **three working days** before the commencement of the hearing.
11. The hearing is listed **for 7, 8 and 9 January 2020.**
12. The tribunal hearing the case will read the witness statements and to the extent necessary parts of the exchanged documentation between **10.00 am** and **11.00 am** *on the first day of the hearing.* The hearing will therefore commence at **11.00 am** *on the first day* and at **10.00 am** *on the second day and, if required, on the third day.*
13. The parties shall agree between themselves a timetable for the cross-examination and brief re-examination of each witness allowing time for final submissions within the time allotted for hearing.

Vice President:

Date and place of hearing: 25 September 2019, Belfast.

Date decision recorded in register and issued to parties: