



## ELA Arbitration and ADR Group

### Different Jurisdictions Sub-Group Questionnaire

**1. Please give your name and the name of your firm.**

**\* 2. Which jurisdiction do you practise in?**

**\* 3. What percentage of your or your team's work is contentious employment work\* currently? \*Here, "contentious employment work" means acting for clients in employment/labour/workplace disputes:**

- where proceedings are either issued or are a realistic possibility; and
- which are resolved by litigation or some form of alternative dispute resolution (with or without intervention by a third party).

- less than 5%
- 5% to 25%
- 25% to 50%
- 50% to 75%
- 75% to 100%

**\* 4. What percentage of your or your team's work is contentious employment work over the last 5 years?**

- less than 5%

- 5% to 25%
- 25% to 50%
- 50% to 75%
- 75% to 100%

**\* 5. What is the default means of resolving employment disputes and do claimants have a choice of forum?**

**\* 6. How widespread is the use of arbitration \*\* for resolving employment disputes? \*\* Here, “arbitration” means a non-court alternative method of resolving disputes, which emanates from the agreement of the parties, is conducted before an impartial tribunal, is private, binding and where awards can be enforced.**

- Not used at all
- Used infrequently
- Used often
- Very widespread

**\* 7. What proportion of employment-related arbitrations are institutional arbitrations?**

- 0%
- less than 5%
- 5% to 25%
- 25% to 50%
- 50% to 75%
- 75% to 100%

**\* 8. What proportion of employment-related arbitrations are ad hoc arbitrations?**

- 0%
- less than 5%
- 5% to 25%
- 25% to 50%
- 50% to 75%
- 75% to 100%

**\* 9. Are there any mandatory legislative provisions that prohibit arbitration of employment disputes?**

- Yes
- No

**10. If you answered “yes” to question 9, what is the scope of the mandatory legislative provisions?**

**\* 11. Are there any trends in the use / non-use of arbitration for resolving employment disputes**

- value
- complexity
- type of dispute
- industry sector
- international element

other (please specify)

**\* 12. Are there any changes to the law under consideration or being proposed?**

Yes

No

**13. If you answered “yes” to question 12, please give further details.**

**\* 14. If arbitration is used infrequently, what obstacles do you consider are preventing its more widespread use?**

**\* 15. How enforceable are arbitral awards in the jurisdiction and internationally (is the jurisdiction a New York Convention contracting state) compared to domestic court/tribunal judgments?**

**\* 16. How does cost shifting work in arbitrations in your jurisdiction?**

**\* 17. What are the main advantages and disadvantages for clients of arbitration in your experience?**

**18. Any other comments**

Done



Powered by



See how easy it is to [create a survey](#).