



Employment Law for Employers Case Studies

Case Study 1:

We defended our employer client following a decision to dismiss an employee on the grounds of redundancy. We had advised our client in respect of all aspects of the redundancy process including selection, consultation, redundancy calculations, redundancy notices, appeals, and offers of alternative work. We were able to demonstrate that our client's decision to dismiss was a fair reason for dismissal based upon the genuine grounds of redundancy and that the redundancy process had been fairly conducted. The employee's claim was dismissed.

Case Study 2:

Our client sought new contracts and a new staff handbook. They were keen to be legally compliant but were also concerned about existing business protection clauses relating to confidentiality, social media, and restraint of trade. Our client had recently been involved in a damaging dispute with an employee who had left on bad terms and had threatened to take clients and confidential information. We met with and listened to our client about what they wanted to achieve and to identify the particular risk factors in their business. We drafted amended contracts and staff handbooks to include enforceable obligations in relation to confidentiality, social media, and business protection. We also provided advice to our client on handling employee departures to minimize any potential loss of clients and confidential information.

Case Study 3:

We advised our client in respect of the employment law aspects of selling their business including complying with employer due diligence, consultation with staff under the transfer of undertaking regulations (TUPE) and the provision of relevant notices.

Case Study 4:

We drafted settlement agreements for a client on an urgent basis who was required to deal with several senior employee departures to include strict confidentiality, garden leave and restraint of trade obligations.

Case Study 5:

We defended our employer client in the Employment Tribunal following a claim of direct disability discrimination and failure to make reasonable adjustments. We managed to have the claim dismissed at a preliminary stage as we proved that the employee was not disabled for the purposes of the relevant legislation and, in any event, had not provided adequate notice of disability to our client. Following this claim, we provided suitable training and policies in order to avoid such situations occurring again in the future.