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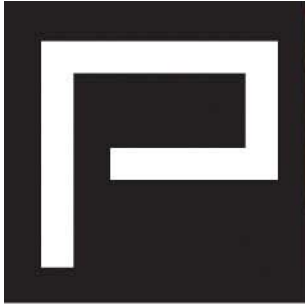
Gemma Woodhouse
Employment Solicitor
28 October 2008



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General Advice on Employment Law, including:-

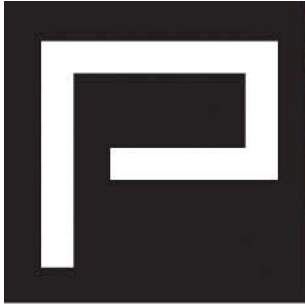
- Day to day HR advice
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- “Problem” employees
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Case One

- Employee worked a night shift.
- Employee allegedly suffered from epilepsy and this was exacerbated by working night shifts.
- Employer dismissed for capability reasons.
- Employee claimed unfair dismissal and disability discrimination.



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Case Two

- Employee working as pub chef.
- Employee suffered renal failure.
- On informing his employers that he would not be attending work due to his condition, he was dismissed.
- Employee claimed unfair dismissal, wrongful dismissal and disability discrimination.
- Employer alleged that employee had resigned and had not been dismissed.



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Case Three

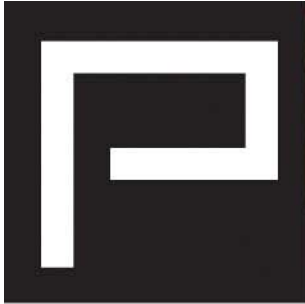
- Employee resigned as a result of alleged bullying from her line manager.
- As a result of bullying, employee developed anxiety disorder.
- Employee claimed unfair dismissal at the Employment Tribunal and claimed losses in respect of loss of income due to her anxiety disorder.
- Employment Tribunal awarded losses in the region of £60,000.
- Employer appealed to Employment Appeal Tribunal on the basis that the losses awarded did not relate to the dismissal and in fact related to bullying.
- Employment Appeal Tribunal held that as she had resigned, she was able to rely on breaches by the employer that occurred prior to her dismissal.
- Employer appealed to Court of Appeal.



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Case Four

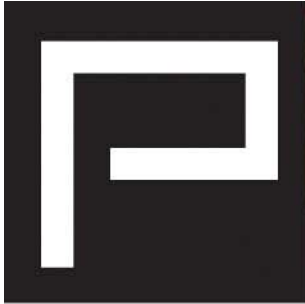
- Employee developed arthritis following her pregnancy.
- Employee dismissed by reason of redundancy and claimed unfair dismissal and disability discrimination due to unfair selection for redundancy.
- Employer found liable. Employee awarded damages in respect of period where she was claiming incapacity benefit.
- Employer launched appeal to the Employment Appeal Tribunal on the basis that if in receipt of incapacity benefit then she would be unable to work at this time so should not be awarded loss of earnings.
- Waiting for Employment Appeal Tribunal decision



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Any questions?

**Come and talk to us at the
Warwick Law Fair on the 18th
November 2008! (11am – 4PM).
Location: Rootes Building**



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