

EMPLOYMENT LAW AND THE EMPLOYER

Employment Law provides many pitfalls for the unwary employer. It has become increasingly complex in recent years, particularly with the impact of EU directives.

For example, the dismissal of an employee on the grounds of pregnancy is automatically unfair and it will amount to sex discrimination that carries unlimited damages. As an employer it is vital to be aware of your obligations and to fulfil them.

TIMELY ADVICE

Our experts in Employment Law are here to offer you timely advice that can lead to significant long term savings in both money and morale.

CONTRACTS OF EMPLOYMENT

Employers must give their employees written particulars of their Terms of Employment. In some cases basic terms may be sufficient, but it is wise, generally, to prepare a full Contract of Employment. Senior employees will almost certainly require a written Service Agreement.



Employers have been given new powers... but the Law is complicated and changing rapidly

THINKING TO THE FUTURE

Your Employment Contracts should be far sighted. You may need to include terms requiring your employees to move elsewhere if your business relocates.

You may feel it essential to include restrictive covenants to protect your business from employees who want to set up in competition. Unless these are worded properly they may well not be enforceable.



DEVELOPING BUSINESS

As your business develops you may wish to introduce new Terms of Employment or Working Practices. It is important to take advice before varying your employment terms. If a business is transferred or sold the effect on 'Accrued Employment Rights' is an area where specialist guidance is essential.

DISCIPLINARY MATTERS

Everything surrounding the disciplining of staff must always be handled consistently and with great care. It is essential to have fair and proper procedures laid out and understood by all concerned to comply with the complex rules which are there to protect the employee.

DISMISSALS

In a similar way all dismissals and redundancies should be handled correctly to avoid claims being made through tribunals. It is essential that professional advice is taken before drawing up internal systems and procedures, and the actual Contracts of Employment themselves, in order to avoid future problems which can waste both time and money.

INDUSTRIAL DISPUTES

Employers have been given new powers and rights to handle industrial action but the Law is complicated and changing rapidly. Prompt and expert guidance is essential throughout this delicate area. If proceedings are brought in a Court or Employment Tribunal, you will need someone who is experienced in dealing with such claims.

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EQUAL OPPORTUNITIES AND DISCRIMINATION

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WHAT WE CAN DO FOR YOU

We offer independent and objective advice on how best to deal with these matters. Where necessary we can negotiate a fair settlement and avoid unnecessary costs. If appropriate we can represent you to defend your position. We can assist to draft suitable documentation including:

- Letters of engagement
- Contracts of Employment
- Director's Service Agreements
- Restrictive Covenants
- Confidentiality clauses
- Policy statements
- Company handbooks
- Disciplinary codes.

We will also advise and assist with other employment matters such as:

- Transfer of undertakings (protection of employment regulations)
- Variations of contracts
- Redundancy
- Disciplinary procedures
- Dismissals
- Deductions from pay
- Sexual harassment
- Maternity leave
- Equal opportunities
- Health and Safety options.

It is never too early to speak to us. We believe that pre-emptive advice is the soundest course of action for all our clients in relation to Employment Law.