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Employment

Problems that arise

When employment problems arise both employer and employee usually require some advice. This is the case whether the problem relates to a non contentious matter, for example, preparing the terms of an employment contract, or where it is a contentious matter where a dispute has arisen. If the problem touches on a non contentious matter we can advise upon the implications of any proposed documents or actions with a view to avoiding disputes in the future. If a dispute has already arisen then we can advise upon the steps which each party must take to resolve those problems. Typical issues that we are asked to advise on include: breach of contract, unfair dismissal, sex and race discrimination, unlawful deduction of wages. Many employers and employees are not aware that if a dispute arises in the workplace there is a set procedure to be adopted by each party before any claim can be made to the Employment Tribunal. If you have not already done so it might be worth considering putting your complaint in writing either to your employer or if you are an employer to put any criticism of your employee to that employee and give them the opportunity of explaining their actions. There are strict time limits within which the various employment claims can be made. It is important therefore that you act promptly and seek advice as soon as you are aware that a problem has arisen.

Our approach

We will always advise you in light of the costs consequences of any action that you might take. As an employer you will normally wish to take the most commercially advantageous route to resolving issues. This may be by entering into a Compromise Agreement with an employee after reaching a settlement. In some cases settlement cannot be reached and a claim to the Employment Tribunal may go all the way to a full hearing where a Tribunal will give judgment on a dispute. Even in those circumstances such work can be carried out in a cost efficient manner by ensuring that such cases do not stray into irrelevant matters and by ensuring that all of the directions which might be given by the Tribunal are complied with promptly. We can advise you of your options both in terms of the merits of your case and the costs involved.

Resolving employment issues

We offer a fixed fee scheme. This allows you to meet at our offices or at your home or workplace if you are an employer, give your instructions to us and allow us to give our view on your particular circumstances. At our first meeting we will normally need to know how long the employment contract has continued for and basic details such as the remuneration of the employee and what has led to the current problem. It is important that we see any documents that you have which might relate to the dispute. We will explore your options, always bearing in mind the cost consequences of any action that might be taken. We will not try to persuade you to take any particular course of action. You can decide what option you will take after receiving our advice.