CHILD & CHILD
EMPLOYMENT LAW NEWSLETTER

For everything you do, we work

CHILD & CHILD

November 2016

INTRODUCTION

As we speed our way towards Christmas, for many organisations the New Year will bring only further economic uncertainty. With no clear strategy to guide us through Brexit, the prospect of any short term resolution to the UK's financial instability is as likely as finding Boris Johnson stuck in your chimney.

Although we know little for certain about how Brexit will impact on the significant European workforce already in the UK, now is the time to review your business needs and prepare for what announcements might follow once Article 50 is triggered in the spring. However, employers must take care not to act on any anticipated change. Until we know more, it is business as usual and any decisions about employees or candidates made now may fall foul of discrimination or other protective laws.

Topics covered in this issue include the rise and rise of the 'gig economy' and how zero hours contracts are set for review, whether protecting pay can amount to a reasonable adjustment for disabled workers and how pregnant women continue to be discriminated against in the workplace.

Following our popular seminar in September, we start a new series looking at how social media is managed in the workplace, best practice and practical steps that can be taken to protect you, your organisation and your employees.

Finally, we have recently welcomed a new Partner into the employment team at Child & Child. Justin Murray joined following a merger with City firm Puxon Murray LLP in October. You will have an opportunity to meet Justin at our next event in the New Year, details of which will follow shortly.

Until then, if you have any questions, comments or feedback, do get in touch.

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CONTENTS

DISCRIMINATION AGAINST PREGNANT WOMEN DOUBLES

A recent report showed that the number of expectant and new mothers forced to leave their jobs has almost doubled since 2005.

The Women and Equalities Committee published a Report on Pregnancy and Maternity Discrimination in August 2016, showing that the number of expectant and new mothers forced to leave their jobs has almost doubled since 2005. According to the report, some 54,000 women were asked to leave their jobs, underscoring a drastic increase in discrimination. Figures suggest more than one in ten pregnant women and new mothers were either dismissed, singled out for compulsory redundancy or left their job because of poor treatment in the workplace. As a result, the committee believes there is a clear need for these workers to be properly protected.

THE CURRENT POSITION

Pregnancy and maternity is one of nine "protected characteristics" covered by the Equality Act 2010. Discrimination occurs where an employer treats a woman unfavorably in any of the following circumstances:

- Because of her pregnancy or because of an illness suffered by her as a result of her pregnancy during the protected period (i.e. from conception to birth);
- Because she is on compulsory maternity leave; and/or
- Because she is exercising or seeking to exercise, or has exercised or sought to exercise, the right to ordinary or additional maternity leave.

It is automatically unfair to dismiss a woman or to select her for redundancy if the principal reason for the dismissal is connected to her pregnancy or statutory maternity leave. It is also automatically unfair to dismiss her for a reason connected to the fact that she has given birth. The responsibility to prove that the dismissal was fair is on the employer.

WHAT HAPPENS IN PRACTICE?

Even though there is legislation in place to protect pregnant women, the statistics set out in the report suggest that many employers seem to be getting away with treating their female employees unfairly.

As many as 260,000 mothers each year are worried that maternity would have a negative impact on their career, while one in five said they had experienced negative comments relating to their pregnancy or flexible working from their employers.

WHAT ABOUT THE FUTURE?

The Women and Equalities Committee set out a number of recommendations in their report in order to reduce pregnancy and maternity discrimination in the workplace. These include:

1. Extending the right for paid time off to attend antenatal appoints to casual, agency and zero-hours workers. Currently, only employees are afforded this right;

2. Reducing the Tribunal fees associated with bringing a claim for pregnancy or maternity discrimination;

3. Doubling the time limit on launching a pregnancy or maternity discrimination case from three to six months; and

4. Ensuring that employers comply with Government attempts to reduce discrimination levels by introducing concrete targets and changing relevant employment laws.

Angela Rayner, Shadow Minister for Women and Equalities, said the report shows thousands of pregnant women are being "priced out of justice" because of tribunal fees introduced by the Government. She said: *"Women on low pay, shift work or zero hour contracts should have the same access to employment tribunals as those with substantial financial means, but access to justice has become unaffordable for thousands of women on low pay."*

We would advise employers to keep in mind and be fully aware of their responsibilities when dealing with expectant or new mothers. Employers should additionally consult their contracts, handbook and relevant policies, and if in any doubt obtain legal advice as soon as possible.

If you have any questions about maternity leave or dealing with pregnancy in the workplace, please do not hesitate to contact us at: amandatrewhella@childandchild.co.uk

"many employers seem to be getting away with treating their female employees unfairly"

SHOULD BEREAVED PARENTS BE GIVEN STATUTORY PAID LEAVE?

Conservative MP Will Quince has presented a bill in parliament, seeking to introduce a statutory right of two weeks' paid leave for parents who lose a child. Although it will always be a difficult issue to discuss, it is important for parents in such a tragic situation to have some reassurance that their pay and positions will be protected.

Is it now time for parliament to look again at the rights afforded to parents?

Quince and his wife suffered the loss of a child, which was stillborn at full term in 2014. The Parental Bereavement Leave (Statutory Entitlement) Bill, which he has presented seeks to provide a period of paid leave to parents who lose a child, and who would otherwise have no protection.

WHAT'S THE CURRENT SITUATION?

As it stands, if a mother loses a child 15 weeks before the expected date of childbirth, or at any time during ordinary or additional maternity leave, she will continue to receive all the rights and benefits she would have been entitled to had the child been born or continued to live.

Similarly, a father who suffers the loss of a child after 24 weeks from conception, or in the 56 days after the child is born (or the date of an adoption), has a right to paid paternity leave – albeit at the lower of the capped statutory paternity rate (currently £139.58) or 90 per cent of a normal week's earnings.

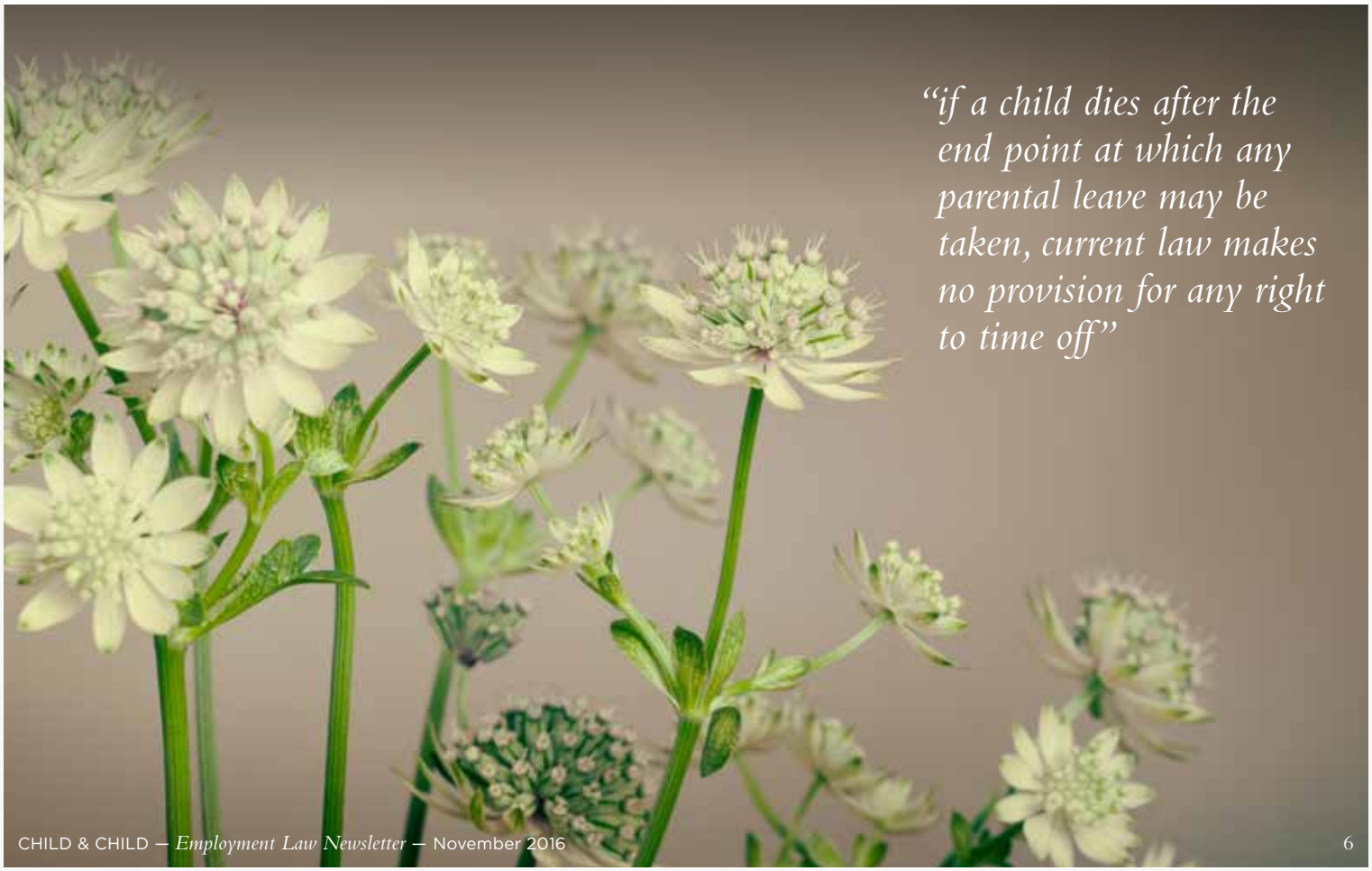
However, if a child dies after the end point at which any parental leave may be taken, current law makes no provision for any right to time off, save for limited unpaid, reasonable time off for dependents leave to arrange or attend a funeral.

HOW WILL IT AFFECT BUSINESSES?

The bill calls for a period of two weeks' paid leave for parents who suffer the loss of a child. However, much will need to be debated and decided if it is to become law, such as the age of the child and whether pay should be capped.

Most employers will be sympathetic to employees who lose a child and will give them all the compassion and grieving time they can afford, but some smaller employers in particular may struggle to be as accommodating as they might like to be, purely for financial reasons. Any change should make provision for employers to "*recover some of their costs*", as is the case with other parental leave. But without statutory protection there is no guarantee of such sensitive treatment.

For further information on how to manage compassionate leave and employees who may be affected, please contact kevinpoulter@childandchild.co.uk



MINIMUM WAGE INCREASES

From 1 October 2016 the National Minimum Wage ("NMW") was increased for all workers under 25 years old, with the rate for workers aged 21 to 24 rising from £6.70 to £6.95 per hour. The National Living Wage, which applies to employees aged 25 and over remains unchanged at £7.20 per hour.

The new rates are as follows:

National Living Wage (Workers aged 25+)	**£7.20**
Standard Rate (Workers aged 21+)	**£6.95**
Development Rate (Workers aged 18-20)	**£5.55**
Young Workers Rate (Workers aged under 18 but above compulsory school age and not apprentices)	**£4.00**
Apprenticeship Rate (Apprentices aged under 19 or within their 1st year of apprenticeship)	**£3.40**
Accommodation Offset Rate (Maximum daily amount)	**£6.00**

The National Minimum Wage has been in the news recently as a group of 17 care workers have brought a claim at the Employment Tribunal alleging that their employer, Sevacare, has failed to pay the minimum wage over the past 6 years. The workers union, Unison, has stated that the Employment Tribunal will examine some of the worst breaches of pay rules it has ever seen. It is alleged that some of the staff working for Haringey Council were being paid a rate of £3.27 an hour, less than half of the then minimum.

Unfortunately for employers, calculating the minimum wage which must be paid is not always straight forward. Difficult areas include where the worker is required to "live-in" or be on call, where they are required to travel between jobs and where accommodation is provided as part of an employee's remuneration.

LIVE-IN WORKERS

In the case against Sevacare, some of the workers acted as "live-in" carers, staying in the home of an elderly woman with dementia for seven days at a time. It was necessary for the carer on duty to sleep in a bed in the same room as the woman and to tend to her needs throughout the night. The carers therefore claim that they were on duty 24 hours a day during this time.

The law states that in calculating the minimum wage, time which is spent on stand-by or on-call should be treated as working time if the worker is required to be at or near a place of work, for the purposes of carrying out work. Where a worker is provided with sleeping facilities at or near the place of work, the only time which will be treated as working time will be when they are awake for the purposes of working.

TRAVEL TIME

Where workers are required to travel from job to job, such as a carer or a plumber, the time they spend travelling between jobs is working time for the purposes of calculating the minimum wage to which they are entitled. However, the time that they spend traveling from home to their first job of the day, and the final journey back home is not working time for these purposes.

ACCOMMODATION

Another area which can cause some confusion is where a worker is provided with accommodation as part of their remuneration, such as a live in nanny or housekeeper. Understandably, many employers mistakenly believe that the full value of that benefit can be taken into account when calculating the minimum wage. However, the law states that only a fixed accommodation offset limit may be applied, which is currently £6 per day. Therefore, in calculating whether a worker is being paid the minimum wage, a maximum of £186 per month can be offset in relation to accommodation provided to the worker.

In many cases, calculating the minimum wage will be a straightforward task. However there are certain situations where extra care should be taken, particularly where the worker works very long hours, such as in the hospitality sector or where workers are required to be on-call, such as in the care sector.

Following tougher measures put in place by the Government last year, penalties for employers who fail to pay the minimum wage can be substantial at 200% of the total underpayment, up to a maximum of £20,000 per worker. In addition, in the worst cases, directors of those companies can be disqualified from being a company director for up to 15 years.

FURTHER CHANGES ON THE HORIZON?

The implementation of the National Living Wage, which came into force in April this year, is at the time of writing due to shortly be debated in parliament. The debate will focus on whether the government should close down "loopholes" which allow companies to drive down conditions and take home pay, to counteract having to pay the National Living Wage, which the MP's calling for the debate have described as being "against the spirit of the law".

Should you require advice as to the application of the National Minimum Wage in relation to your workers, please contact amandatrewhella@childandchild.co.uk

PAY PROTECTION FOR DISABLED EMPLOYEES

The Employment Appeals Tribunal has recently upheld a decision from the Employment Tribunal in the case of G4S Cash Solutions (UK) Ltd v Powell that pay protection could be a reasonable adjustment as part of a package of measures to get an employee back to work. Whether it was reasonable for the employer to have to take that step was a separate question, to be determined in the particular circumstances.

WHAT HAPPENED?

Mr Powell was employed by G4S as an engineer since 1997. He suffered with back pain and by 2012, he was unable to lift heavy objects, or work in confined spaces. It was subsequently accepted that Mr Powell was disabled under the Equality Act 2010. Due to his disability, upon his return to work following a period of sickness absence, Mr Powell began working in a newly created less-skilled role of "key runner" which involved driving from G4S depots to deliver parts to its engineers.

G4S continued to pay Mr Powell his original salary and it was Mr Powell's understanding that this was to be a long term arrangement. In May 2013 however, G4S informed Mr Powell that the key runner role was being discontinued and he was invited to apply for other internal vacancies. He was advised that if there were no suitable alternative roles within the company, he would be dismissed on medical grounds.

Mr Powell raised a grievance against G4S alleging that it was attempting to unilaterally change the terms and conditions of his contract of employment. Following the grievance process, G4S made the key runner role permanent, albeit advising Mr Powell that he would have to accept a 10% reduction in salary if he wanted to remain in this role. Mr Powell refused to accept the reduction and therefore was dismissed.

The Employment Appeals Tribunal concluded that an employer seeking to fulfil the statutory duty to make reasonable adjustments can impose a particular adjustment without the employee's consent. However, if the employer proposes an adjustment which is incompatible with the terms of contract, the employee is entitled to decline it. In this case, it was clear that there had been a variation of the contract when the employee returned from sickness absence to a changed role.

WAS IT A REASONABLE ADJUSTMENT TO PROTECT MR POWELL'S PAY?

In this case, G4S had paid Mr Powell at the higher rate of pay for a year, and had led him to believe that the arrangement would be long-term. The tribunal decided that G4S was a company with substantial resources for whom the additional annual cost of employing Mr Powell would have been easily affordable.

The EAT concluded that while it will not be an "everyday event" for an employer to provide long-term pay protection in this way, cases can be envisaged where this may be a reasonable adjustment as part of a package to get an employee back to work or to keep an employee in work. The financial considerations will always have to be weighed in the balance by the tribunal. The EAT also noted that an adjustment may eventually cease to be reasonable, for example if the need for a job were to disappear or the economic circumstances of the business changed.

When considering what reasonable adjustments may be necessary, employers need to take into account the following:

- The extent to which it is practicable for the employer to take the steps;
- The financial and other cost of making the adjustment;
- The extent of any disruption which taking the steps would cause;
- The amount of any resources already spent on making adjustments;
- The availability of financial or other assistance.

If you have any questions about reasonable adjustments and accommodating disabled workers, please do not hesitate to contact us at kevinpoulter@childandchild.co.uk

"if the employer proposes an adjustment which is incompatible with the terms of contract, the employee is entitled to decline it"

SOCIAL MEDIA RISK & REWARD AT WORK: PART I

Organisations should take time and care to reduce the risk presented by social media whilst at the same time maximising the rewards it offers, especially where employees are concerned. In the first of a series looking at social media in the workplace, we consider how to go about implementing a policy which is suitable and sustainable in your organisation.

For many organisations, social media is both a blessing and a curse. An essential marketing tool, a direct line of communication or just a bit of fun, social media has many positive uses, but in an instant, good can turn to bad. If your business hasn't yet suffered at the hands of social media, you've been either wise, lucky, or both.

When developing a social media strategy, every business is different. What you want to achieve and how you want to achieve it is open to you to choose. With so many social media platforms available, each offering something different and appealing to a different audience, it is easy to lose your way.

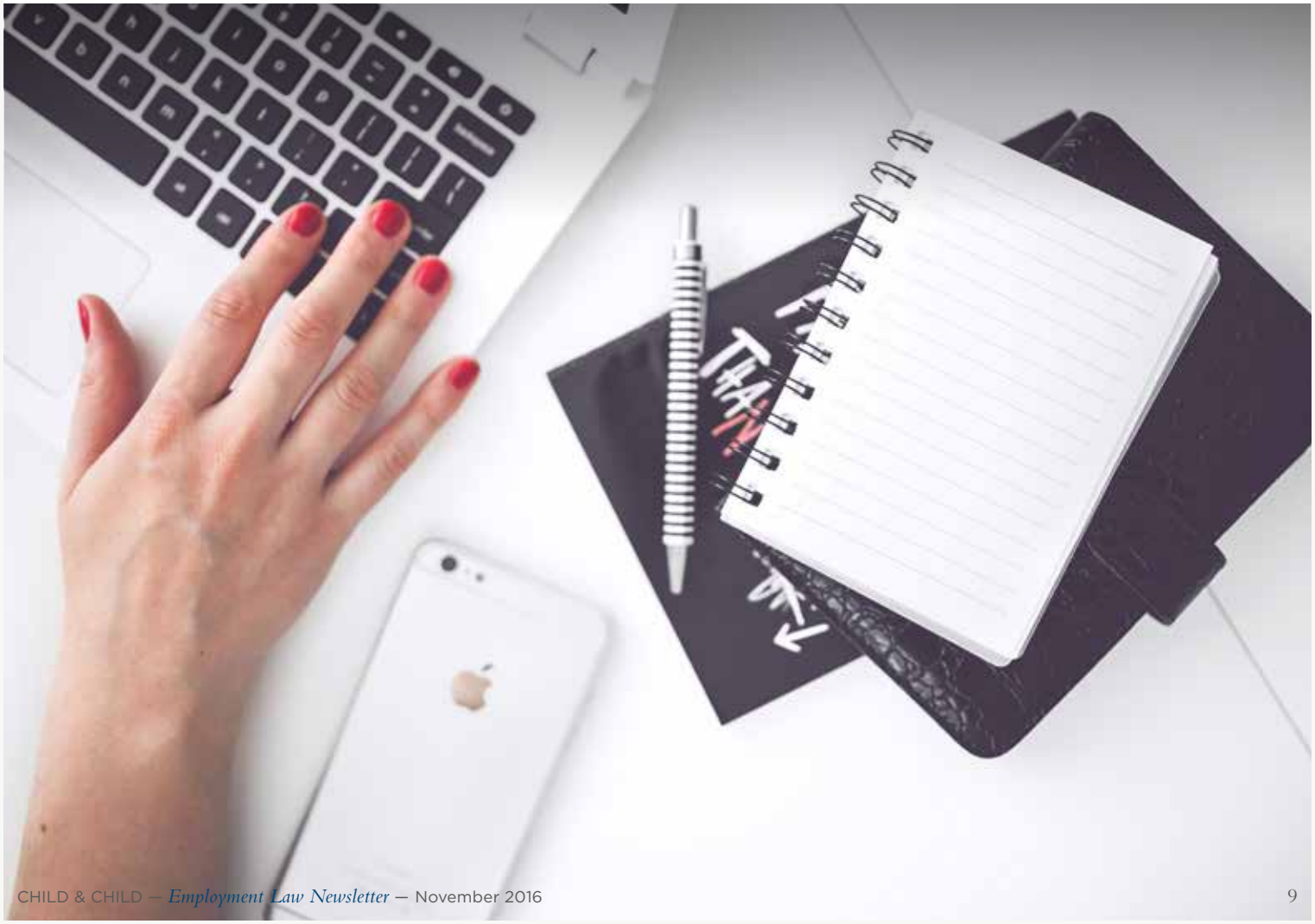
When it comes to employees' social media use, it is equally important to consider your business objectives. The challenge of getting the policy right may seem insurmountable and faced with that dilemma, some organisations prefer a social media lock-down whilst others too quickly accept defeat over being able to control employees. For most, though, there is third way and this is almost always the right path to choose.

SETTING THE TONE, FINDING THE PLATFORM

At our recent event Board Games: Social Media Risk & Reward at Work, panellist Charlotte Henney, HR Partner at architect Robin Partington & Partners started by looking at what employees were doing already: "*Employees use social media to share interesting things they've seen…but we need to guide best practice. We don't allow bikini shots on the beach! I try to steer employees into good content.*"

A different view was taken by Ellie Silson, UKI Social Media Manager for global accountancy software giant Sage: "*We wouldn't discourage bikini shots! We have two Instagram accounts; one is customer curated and the other is #lifeatsage – so on that one we encourage "missing you" while on holiday posts. We don't encourage pictures of them in their private lives with the software*."

Inevitably, your workforce will already be using social media in some form, whether text messages and Whatsapp, LinkedIn or Facebook. How that interferes with their work and impacts on you as an employer is something you can exercise control over.



NOT ANOTHER POLICY

Whether you call it a policy, guidance, a code of conduct or incorporate elements into existing policies, it is essential to have something to inform employees what is expected of them on social media. However it is done and under whatever name, a policy must be workable, accessible and communicated to employees.

Some policies have been described as anything from "*a one pager, fluffy, with pictures"* or *"a nice friendly policy saying – just be careful of these things" to "a cast iron policy which we use defensively as a backup*".

A frequent problem with policies is that they are launched and quickly forgotten, only removed from the vault to be used as a weapon against employees when they are breached. Policies should be simple to find and easy for employees and managers to understand. That way, people are more likely to follow them and, ideally, avoid the need to be enforced against employees.

As social media evolves - there are new platforms and features being launched daily - so should your policy. As and when an issue arises, it can be used to remind all employees what the standard and tolerance is. If necessary, update or amend the policy to prevent any unwanted issues arising again.

"*Try to reinforce a positive message. You shouldn't create fear or you won't get engagement. You need people to champion it*" added Charlotte Henney. However, any policy must be applied equally and fairly across all employees, who should also be trained and supported, especially when tasked with social media use as part of their day to day role.

In future articles we will look more closely at enforcing social media policies, monitoring and moderation as well as how social media can be used to engage and motivate your workforce.

"Policies should be simple to find and easy for employees and managers to understand"

To discuss how social media is impacting your organisation and what steps may be taken to reduce the risks, from board level down please contact: kevinpoulter@childandchild.co.uk

WHERE DID SPORTS DIRECT GO WRONG?

They say that "all publicity is good publicity", but in the case of Sports Direct and its CEO, Mike Ashley, this could be the exception to the rule.

At the end of 2015, the large UK sporting retailer employed nearly 15,000 people on zero hour contracts and faced a multi-million pound claim from its workers. On top of this, it was found that a number of workers were paid less than the minimum wage – and have not been paid for the additional 15 minutes that the workers were searched upon leaving the warehouse at the end of the day. This shortfall in pay caused outcry because reports showed that Sports Direct were extremely strict in other ways towards their workers. For example, being one minute late for work would result in the loss of 15 minutes pay and a "six strikes and you're out" disciplinary procedure whereby a strike was given if a worker was off sick, made an error, or took an excessive toilet break - to name a few.

In 2013, Sports Direct had offered its permanent employees an average of 12,000 shares each, but said its zero hour contract staff were ineligible for this share scheme. A group claim was subsequently brought by a number of zero hour staff members in 2015, with each individual claim averaging £36,000 and some reaching more than £100,000.

WHAT ARE ZERO HOUR CONTRACTS?

Zero hour contracts are typically understood to be where:

- The employer is not obligated to provide any minimum working hours; and
- The employee is not obligated to accept any work offered.

This means that these employees are not guaranteed any set hours each week, or at all.

WHAT NEXT FOR SPORTS DIRECT AND CASUAL WORKERS?

The media spotlight on Sports Direct has forced zero hour contracts and other employment issues to shoot up the agenda for politicians, shareholders and consumers. Sports Direct has said it is ditching zero hour contracts, and they have also pledged to put workers' representatives on the company board.

Janet Williamson, who oversees Trade Union Share Owners (TUSO), said "*We hope this resolution will show to companies that if they don't act responsibly on employment practices, they may be the target of a similar campaign*".

Zero hour contracts are not, at present, unlawful, but employers should consider if they are the best and most appropriate contract for their workers. It is worthwhile noting that any worker on a zero hour contract cannot be prohibited from doing work under another contract or under another arrangement. Exclusivity clauses therefore are unenforceable against workers on zero hour contracts.

If you have any questions about contracts, casual labour and consultancy issues, please do not hesitate to contact us at kevinpoulter@childandchild.co.uk

"Exclusivity clauses are unenforceable against workers on zero hour contracts"

WORKERS' RIGHTS IN THE GIG ECONOMY

The global sharing economy, or the peer to peer economy, where individuals rent out something they are not using, or provide a service directly to other individuals, usually through an app or website (for example Airbnb and TaskRabbit) is now big business, worth $15 billion per year according to PWC and has the potential to drastically change the way we all buy our goods and services. Are current employment laws in the UK adequate to deal with this new way of working?

Uber, the cab hailing app which has now branched out into food delivery and is thought to currently be the most valuable start-up in the world, has a business model which relies on the fact that its drivers are not considered to be employees.

In an important decision earlier this month two Uber drivers succeeded in their case against Uber in the UK Employment Tribunal. The drivers, together with the GMB union, successfully argued that they are 'workers' and not independent contractors as Uber had argued. Under the Employment Rights Act 1996 a 'worker' is an individual who undertakes to personally perform work or services for another person but excludes situations where the other person is a client or customer of a profession or business undertaking carried on by the individual. In this case the GMB decided not to argue that the drivers are employees, which would have been a tougher test and one that would have been unlikely to succeed.

Uber pay their drivers and control how much passengers are charged, and they require drivers to follow particular routes and use a ratings system to assess the drivers' performance. Therefore, in the case, the GMB union successfully argued that these factors show that the drivers are under a far greater level of control than a true independent contractor would be and are, therefore, workers.

Uber stated that: "*One of the main reasons drivers use Uber is because they love being their own boss. As employees, drivers would drive set shifts, earn a fixed hourly wage, and lose the ability to drive elsewhere as well as the personal flexibility they most value*".

As the drivers have been held in this case to have 'workers' status for the purposes of employment legislation, they are entitled to be paid the National Minimum Wage, to take paid holiday, to receive a pension contribution under the Government's auto-enrolment scheme and to be protected against discrimination. Uber are also obliged to take responsibility to ensure that the drivers do not work excessive hours and take sufficient breaks.

"it is increasingly important to work with a flexible workforce"

Now that the drivers have won their case, they are entitled to compensation in relation to the breach of their rights as workers. This will no doubt lead to further claims by the thousands of drivers who currently work for Uber and is likely to have a knock on effect on other similar companies, such as Deliveroo, which has also been in the news recently for similar reasons.

Uber has confirmed that it intends to appeal this decision and given its importance it is likely that this issue will go all the way to the Supreme Court.

As how we work in the 21st century continues to evolve, it is increasingly important to work with a flexible workforce. The current system of classification of employees, workers and independent contractors attempts to balance the desire of some individuals to have more control and flexibility in their work with the need to ensure that unscrupulous employers are not able to erode the basic rights of workers through the use of sham self-employment situations.

The Government has acknowledged that this is an area in which modifications to the law may be necessary to reflect changes in the labour market. To this end the Prime Minister has asked Matthew Taylor to head up an independent review of modern working, which will consider the implications of new forms of work on employee rights and employers' responsibilities.

Should you require advice on the status of individuals working for you and their rights as employees or workers, please contact amandatrewhella@childandchild.co.uk

DIRECTOR DISQUALIFIED AFTER EMPLOYING ILLEGAL WORKERS

A failure to comply with statutory immigration obligations resulted in a company director being disqualified from holding directorships for 6 years following the employment of three illegal workers.

Under the Immigration, Asylum and Nationality Act 2006, employers are responsible for ensuring that their employees have the right to work in the UK. If an employer knows, or has reasonable cause to know that they are employing someone who is not entitled to work in the UK, they are open to criminal prosecution punishable by up to 5 years in prison and/or a fine of up to £20,000 per illegal worker.

If an employer acquires employees as a result of TUPE, they would still be responsible in the same way and must rely on their own checks on their employees' immigration status. The defence of relying on the previous employer's checks is no longer valid.

If you have not seen documentary evidence of your employees' right to work, employers are advised to make the checks as soon as possible.

It is also an offence to employ someone in a role which is different from that for which the certificate of sponsorship was issued or for what they were granted leave to undertake.

Right to work checks are essential before an employee commences work. Employers are also required to conduct a follow-up check on people who have time-limited permission to work in the UK and original documents should be checked with clear copies taken and recorded.

If you have any questions about the employment of non-UK workers, please contact kevinpoulter@childandchild.co.uk

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Kevin is a Partner at Child & Child. Kevin joined the firm in March 2016 and has a wealth of experience in advising clients on all aspects of contentious and non-contentious employment law matters. He advises businesses, charities and senior executive employees on a broad range of employment issues including employee rights, contracts and workplace disputes. He has particular experience in discrimination claims, business transfers and restructuring alongside general HR advisory work, particularly within professions, digital media and the third sector.

Kevin has a keen interest in the use of social media and how it impacts on the employment relationship. He has written extensively on developing social media law, policies and practice and frequently speaks at conferences and seminars on the subject.

Kevin is a regular contributor to local and national media including The Guardian, The Independent and The Sunday Times and appears frequently on the BBC and TRT World News. He was the first Editor at Large of the Solicitors Journal, sits on the Law Society's LGBT Division committee and is a 'Business Expert' for SAGE.

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Amanda is an employment law specialist. She qualified as a solicitor in 2008 and joined Child & Child in September 2015.

Amanda advises on all aspects of the employment relationship, from recruitment and the drafting of HR policies and employee handbooks through to advising on business reorganisations, disciplinary and grievance procedures and drafting and negotiating settlement agreements and severance packages.

Amanda provides advice on the Employment Tribunal procedure and has managed a variety of claims on behalf of claimant and respondent clients, including unfair dismissal, breach of contract, flexible working, whistle blowing and discrimination.

Amanda has particular expertise in the hospitality sector, having advised hotels and restaurants on the broad range of employment issues affecting them.

Amanda is a member of the Employment Lawyers Association and author of the chapter on Agency and Temporary Workers in the Workplace Law Handbook 2012.

JUSTIN MURRAY
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Justin is a Partner at Child & Child and joined the firm in October 2016. He has a formidable reputation as a litigator. His innovative approach to employment matters is attractive to individuals and companies alike.

His primary focus remains on all aspects of contentious employment matters and he regularly litigates in the High Court and Employment Tribunal. He is often involved in high value claims, settling matters at a very satisfactory level without the need for an actual hearing. This is due to his forward thinking and planning in litigation as well as his skills as a negotiator.

He is very familiar with the instruments traded in the financial industry and the complexities of the deals done. His recent cases include whistle-blowing and discrimination claims for senior employees in major investment banks, hedge funds, and partners in law firms. He also advises Companies/LLPs on less contentious employment and commercial matters including employment terms, restructuring, redundancies, TUPE, and remuneration including bonus/commission schemes/ awards and long term incentive plans.

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