

Employment Law Protection

Claims Examples

Example 1 Unfair Dismissal (Capability)

Claimant dismissed on the grounds of capability. He was employed to sell cars, however was not successful in the role.

Grounds of capability could have been upheld but incorrect procedures were followed by the employer company.

Award £3,000 – Costs £500

Example 2 Gross Misconduct

Claimant was employed as a field service & support engineer. He was 'on call' the night of the company Christmas party, where he became significantly drunk and unfit to deal with any 'calls' (although none arose). Claimant admitted he was drunk but explained that a colleague had agreed to cover his 'shift, although this had not been approved by management. Although the dismissal was not deemed 'Unfair' it was deemed 'Wrongful' due to delays (1 month) between the incident and dismissal.

Paid £8,085

Example 3 Unfair Dismissal (Redundancy)

Claimant was advised 12 months prior to redundancy that his production rate was considerably slower than the norm. He was selected for redundancy however no evidence was produced to show how selected, no consultation took place or alternative positions offered.

Award £5,500 Costs £1,500

Example 4 "Whistleblowing"

An accountant was sacked for gross misconduct after warning his directors that his former chief executive had claimed over £350,000 in cash advances and expenses without receipts. He was awarded compensation for unfair dismissal.

Paid £273,000 (NB. Under the Public Interest Disclosures Act 'whistleblowers' are allowed to receive more than the £56,800 limit for unfair dismissal awards)

Example 5 Sexual Discrimination

A woman was awarded £580,000 after being removed as Chief Executive, from a company that she founded, by 'sexist plotters'.

Example 6 Sexual Discrimination

A female employee at a manufacturing company sued for unfair dismissal and sexual discrimination.

Award £70,000

Example 7 Post-Traumatic Stress Disorder

A financial adviser was diagnosed with PTSD when he was given extra responsibilities after his staff were cut from fourteen to five. The adviser complained to his manager that intolerable demands were being placed upon him, but no help was forthcoming.

Award £100,000

Example 8 Redundancy

Insured lost a major contract and made an employee redundant without following correct procedures.

Paid £8,000

Example 9 Racial Abuse

A clerk was subjected to racial comments by colleagues, including abusive racial terms and racially motivated songs. Although each incident was reported, the company failed to investigate. It was recognized by the tribunal that the employee's concerns were not dealt with and found in their favour.

The employee received compensation for injury to feelings and for psychiatric illness.

Claims Costs £12,000

Example 10 Dismissed for Disability

A secretary who was in her first week of employment at a food company was dismissed after being told that she wasn't processing information quickly enough. This was in fact due to her having dyslexia which she had declared when she was offered the position.

Tribunal found that the company had paid no attention to her disability.

Claims Costs £5,000

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