

INSTITUTE OF LEGAL EXECUTIVES
UNIT 13 - PRACTICE OF EMPLOYMENT LAW*

Time allowed: 1 hour and 30 minutes plus 15 minutes reading time

Instructions to Candidates

- You have been provided with a clean copy of the case study materials for you to use in this examination.
- You have **FIFTEEN** minutes to read through this question paper and the case study materials before the start of the examination.
- **It is strongly recommended that you use the reading time to read the question paper fully.** However, you may make notes on the paper or in your answer booklet during this time if you wish.
- **All questions are compulsory. You must answer ALL the questions.**
- Write in full sentences – a yes or no answer will earn no marks.
- Candidates must comply with the ILEX Examination Regulations.
- Full reasoning must be shown in answers. Statutory authorities, decided cases and examples should be used where appropriate.

Information for Candidates

- The mark allocation for each question and part question is given and you are advised to take this into account in planning your work.
- Write in blue or black ink or ball point pen.
- Attention should be paid to clear, neat handwriting and tidy alterations.
- Complete all rough work in your answer booklet. Cross through any work you do not want marked.

Do not turn over this page until instructed by the Invigilator.

* This unit is a component of the following ILEX qualifications: **LEVEL 3 CERTIFICATE IN LAW AND PRACTICE** and **LEVEL 3 PROFESSIONAL DIPLOMA IN LAW AND PRACTICE**

Question 1

Reference: Question relates to **Document 1** of the case study materials.

- (a) Explain whether Lisa may have a successful claim against 'Marples' for unfair dismissal.

(10 marks)

- (b) Outline what additional claim(s) Lisa may have against 'Marples'.

(7 marks)

- (c) Explain whether Lisa may be able to obtain a reference from 'Marples'.

(4 marks)

(Total: 21 marks)

Question 2

Reference: Question relates to **Document 2** of the case study materials.

- (a) Explain why it is advantageous for Rosie to have contractual documentation for her employees.

(6 marks)

- (b) Explain whether Rosie has to pay Candice during her maternity leave and whether she has to keep her job open for her when she returns.

(7 marks)

- (c) Rosie decides to dismiss Candice as she does not want a pregnant employee.

Explain what claim Candice may be able to make against her and why.

(6 marks)

(Total: 19 marks)

Question 3

Reference: Question relates to **Document 2** of the case study materials.

Oliver has decided to close the Bedford factory and move 25 staff with him to Derbyshire and make the remaining 23 staff redundant.

(a) Advise Oliver on whether he can require staff to move to the new site in Derbyshire.

(5 marks)

(b) In relation to the proposed redundancies, explain to Oliver what procedures he should follow to avoid any claims against him.

(10 marks)

(c) Shanaz had worked for Oliver for 10 years until she was selected for redundancy. She is 52 years old and was earning £500 per week. Calculate the redundancy pay that Shanaz is entitled to.

(5 marks)

Oliver moved to the new factory and correctly made 23 staff redundant. One of the staff who was made redundant issued a claim against Oliver. You have advised Oliver that the claim is particularly weak.

(d) The Employment Tribunal has listed the case for a Pre-Hearing Review. Identify and explain any particularly relevant direction which may be made at such a hearing.

(5 marks)

(Total: 25 marks)

Question 4

Identify and explain the differences between contentious and non-contentious employment work for a commercial client instructing you on employment matters.

(5 marks)

End of Examination Paper

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