14 June 2012 Level 3 PRACTICE OF EMPLOYMENT LAW Subject Code L3-13



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 <u>read</u> 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 gualifications: LEVEL 3 CERTIFICATE IN LAW AND

Question 1

- Reference: Question relates to Documents 1, 2 and 3 of the case materials.
- StudentBounty.com Advise Rob what legal issues may arise from the draft advertisement in its (a) current form.

(8 marks)

(b) Re-draft the content of the advertisement taking into account your advice above.

(4 marks)

Identify two commercial advantages for Master Fit Flooring in having (c) proper employment documentation for new employees.

> (2 marks) (Total: 14 marks)

Question 2

Reference: Question relates to **Document 4** of the case study materials.

Explain the purpose and effect of the following clauses from Alan Blurton's contract of employment;

- Clause 9. (a) Clause 5. (b)
- (c) Clause 10.

(3 marks)

(4 marks)

(5 marks) (Total: 12 marks)

Question 3

Reference: Question relates to **Document 5** of the case study materials.

Advise Eisha in relation to the following:

StudentBounts.com Explain whether Eisha may have a claim for unfair dismissal against her (a) employer and if so, on what basis.

(10 marks)

(b) What time limit may affect her ability to pursue a claim for unfair dismissal against her employer?

(2 marks)

(c) Identify and explain the remedies available to Eisha for wrongful and unfair dismissal if she is successful in her claims.

> (8 marks) (Total: 20 marks)

Question 4

Reference: Question relates to **Document 5** of the case study materials.

(a) Outline the procedural steps that Sam's employer should have followed when consulting the staff regarding possible redundancies.

(8 marks)

(b) Identify and explain the potential claims Sam may have against her employer regarding her selection for redundancy.

(10 marks)

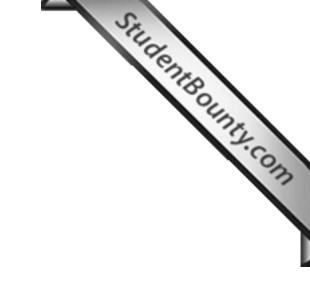
(c) Calculate the redundancy payment that Sam (who is aged 30) is entitled to.

(6 marks) (Total: 24 marks)

End of Examination Paper

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