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# employment law



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Need the help of an employment law specialist? Chat to us  
[spencerchurchill.co.uk](https://spencerchurchill.co.uk)

## Explaining Employment Law

Employment law safeguards the rights of employees within a business. From the recruitment process, all the way through to dismissals, it is important that the journey of an employee throughout their time in a business falls within these standards. This is something that an employer should be vigilant about.

There are lots and lots (and lots) of legal categories and disagreements that fall under the title of Employment Law. If you find yourself in the middle of a case, it's really important you hire an expert to deal with it for you.

From the very beginning to the very end of an employee's journey, the process must be lawful. Even at the point of recruitment, a discrimination claim could emerge if candidates feel they have not been treated fairly based on factors outside of their control.

It is your responsibility as an employer to protect your employees from unfair dismissal, perhaps due to pregnancy, maternity leave or paternity leave, discrimination claims, using their holiday entitlement or from joining a trade union.

An employee may also feel obligated to dismiss themselves from a job if their employment contract is unfairly breached, for example, their working hours are changed dramatically, or they are demoted without warning or reason.

Employment law is complex, but UK employers must abide by employment rights. If you find yourself facing litigation due to the accusations of an employee within the workplace, we can help. Our expert solicitors are qualified to represent you and fight your corner, aiming to defend your case and prevent harm to your business and its reputation.

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# Why might you or your business require an employment law solicitor?

Due to the huge scope of categories that employment law covers, there are, unsurprisingly, a ton of reasons why you might require the support of our employment solicitors.


Perhaps an employee feels as though they have been a victim of discrimination on the grounds of their gender, sex, race, age, or for other reasons. Maybe an employee believes their redundancy was actually them being unfairly dismissed. Or, perhaps more generally, an individual thinks that their employee rights have been compromised. If you are dealing with a disgruntled employee, you are going to want to sort it out.

## How can **Spencer Churchill** help you with an employment rights issue?

### EMPLOYEE FRAUD CASES

Employment law also protects businesses from the impact of troublesome employees. Employee fraud, the act of someone committing fraud against their employer, can be very disruptive and costly to the processes of a business.

The most common form of employee fraud is known as Asset Misappropriation - where an individual may have used their company's asset for their own use. Fraud can also occur through an employee exercising influence on their colleagues in a corrupt way, from payroll theft, or even manipulating profits.



If you think you are dealing with a fraudulent employee, it is best to sort it out as soon as possible, to stop them in their tracks before they do any more damage. Our friendly and attentive team of professionals can assist you throughout the process of creating a court case, resolving the dispute, or mediating the disagreement.

## BONUS DISPUTES

Most mentions of employee bonuses are accompanied by the term 'discretion.' This is inherently vague, but means that the employer is able to decide whether or not their employee qualifies for the salary progression that may feature in their contract.

If an employee believes their employer has not been fair in their judgement, they may feel obliged to raise a dispute. If they do, you are going to need excellent representation, like us at Spencer Churchill, to effectively get to the bottom of the case and resolve the dispute in the best way.

## REDUNDANCY AND RESTRUCTURING

Restructuring is sometimes essential in order to grow a business. Maybe you are in the process of merging two companies, you've recently realised that your company's current processes just aren't working, or even that a specific role isn't needed anymore. Restructuring will, more often than not, lead to redundancy.

If you have recently made an individual redundant, and they are claiming that it was an unfair dismissal, we can help. Our expert solicitors understand the ins and outs of employment law, including redundancy and restructuring claims, meaning that we can help you and your employee mediate, resolve, or litigate the dispute.

## INCENTIVES AND REMUNERATION CASES

It is common for contracts to change, particularly when it comes to salary increases, which are more and more common the longer the individual has been at their company. However, sometimes an employer will disagree with an employee when it comes to what they are obligated to receive.

If an individual feels they have a contractual right to receive financial incentives or remuneration from their employer, they may make a case or raise a dispute if this is not fulfilled. Dealing with a similar case and not sure what to do? It's okay, our professionals at Spencer Churchill are here to help.

## TEAM MOVES & RESTRICTIVE COVENANTS

It is always in the best interest of a company to reduce the amount of information that a competitor knows about them. Restrictive covenants limit your employees ability to work for your competitors if they were to ever leave the company. An ex-employee may have a lot of specific company knowledge, so restricting their access to competitors might be in your best interests.

However, sometimes an individual might feel as though the restrictive covenant in their contract is too wide and restrictive, for no just reason. If an ex-employee has challenged their clause, you will need legal representation to help you work through the dispute. That's exactly where we come in. The professionals at Spencer Churchill work with companies as they go through restrictive covenant disagreements, aiming always to resolve the dispute in the best way for those involved.

## WORK STATUS AND THE GIG ECONOMY

As the so-called 'Gig Economy' rises in popularity, workers are gaining freedom, autonomy, and flexibility when it comes to their jobs. Companies are benefiting from the practical and financial convenience that comes with freelancers and contractors. However, the vagueness of gig economy contracts means that, quite often, workers and businesses come into conflict regarding their expectations.

From conflicts relating to working hours, to discrepancies in employment benefits and sick pay, the world of freelancers or contractors can become unnecessarily complicated. This lack of clarity and contractual formality can, now and again, lead to disputes and disagreements.

At Spencer Churchill, we offer expert legal advice to companies navigating the gig economy, aiming to resolve disputes and maintain a positive working relationship. Reach out to us now so that we can do for you exactly what we do best.

## EMPLOYMENT TRIBUNAL

If an individual has brought a claim against your organisation or company, you're going to want the best legal representation to sort it out. Employment tribunals serve as a place where employees can take up grievances for a range of reasons, so legal representation is advisable to make sure things are resolved in the best way.

If you have been accused of wrongfully or unfairly dismissing an employee, for discrimination, for unfair wage deductions, or for something else, you will need an expert, like us at Spencer Churchill to help you resolve the dispute. Get in touch now if you have an employee tribunal on your hands.

## TUPE

TUPE protects the rights of your employees as your company or organisation transitions between employers, or as your organisation welcomes in new employees due to a transfer into your company. This will, naturally, involve a transfer of contracts and job roles.

Our team of experts at Spencer Churchill can help you to handle a TUPE transfer, allowing your staff to stay informed the whole time and advising on whether or not you'll need to deliver due diligence. A smooth TUPE will help to maintain a positive relationship between you, as the employer, and your workers.

We are confident that with our advice, guidance, negotiation, and risk management, your organisation's TUPE can take place with minimal disruption. Let us know if you are navigating a TUPE and need effective solutions, now.

## HIGH COURT CLAIMS

If an employment tribunal can't be resolved through mediation or dispute resolution, and it ends up in litigation, you'll want the support of our expert solicitors when you're in the courtroom. Our approach to High Court Claims is one of efficiency and transparency, always working with the evidence to defend you. Whatever the nature of the claim, our friendly team of solicitors are here to help.

# Need help with Employment Law?

Our friendly team of solicitors want to help. If you are facing an employment case, no matter its severity, we want to use all the evidence to defend you, in whatever form it takes.

Whether you need a mediator, an arbitrator, or a litigation solicitor to fight your corner in the courtroom, reach out to us now.

**spencerCHURCHILL**  
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## Get in touch today

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