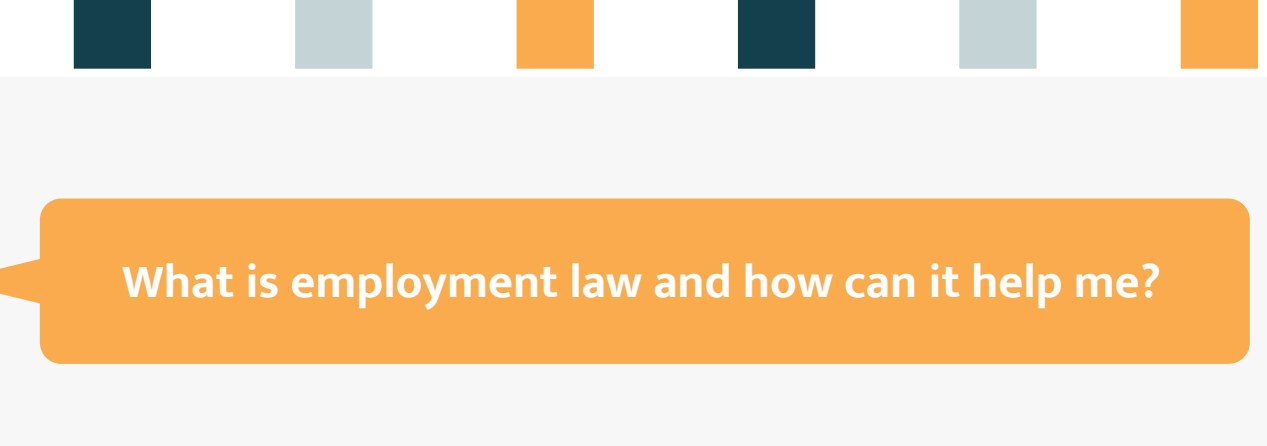


Employee rights in employment law

Going out to work on a daily basis is, for most people, one of life's staples. Suffering injustice within that working role or facing unfair situations in the workplace can be extremely distressing. The law recognises this and one of its functions is to protect employees by upholding certain rights.



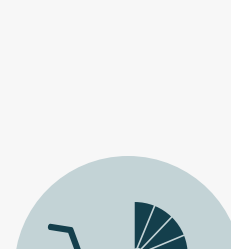
What is employment law and how can it help me?

Broadly speaking, employment law is about the legal rights of employers and employees. As well as the rights enshrined in statute, case law also has a major part to play in terms of creating precedents in what can be a very complex area. This provides a comprehensive backdrop for those seeking guidance on their employment law issue.

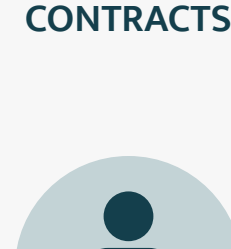
Oratto has a number of member lawyers who have an expert working knowledge of this field and we will be able to match your personal circumstances to the lawyer best suited for your case.

What sort of things are covered by employment law?

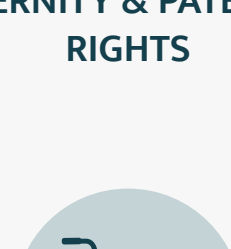
Employment law has a wide remit but there are some areas where it is more commonly used than others. These include:



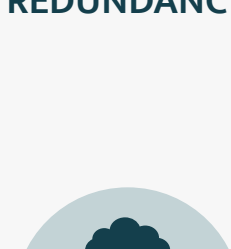
DISCRIMINATION; OF AGE/
SEX/RACE/RELIGION



BULLYING OR HARASSMENT



UNFAIR DISMISSAL



BREACHES OF EMPLOYMENT
CONTRACTS



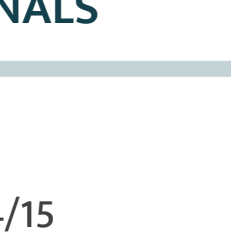
MATERNITY & PATERNITY
RIGHTS



REDUNDANCY



DISABILITY



GENERAL GRIEVANCES

COMPENSATION AWARDED AT EMPLOYMENT TRIBUNALS

Average awards in 2014/15

SEX DISCRIMINATION

£23,478

SEXUAL ORIENTATION
DISCRIMINATION

£17,515

DISABILITY DISCRIMINATION

£17,319

RACE DISCRIMINATION

£17,040

UNFAIR DISMISSAL

£12,362

AGE DISCRIMINATION

£11,211

RELIGIOUS DISCRIMINATION

£1,080

EMPLOYMENT LAW TERMS

BREACH OF CONTRACT: when the agreed terms of a contract have not been observed, leading to damage to one or more parties.

COMPENSATION: money paid in respect of financial loss and damages caused by wrongful behaviour.

CONSTRUCTIVE DISMISSAL: when an employee is put in a position where they feel they have no choice but to leave their job due to the behaviour of their superiors.

INJUNCTION: a legal action designed to prevent certain conduct or to enforce the original terms of a contract.

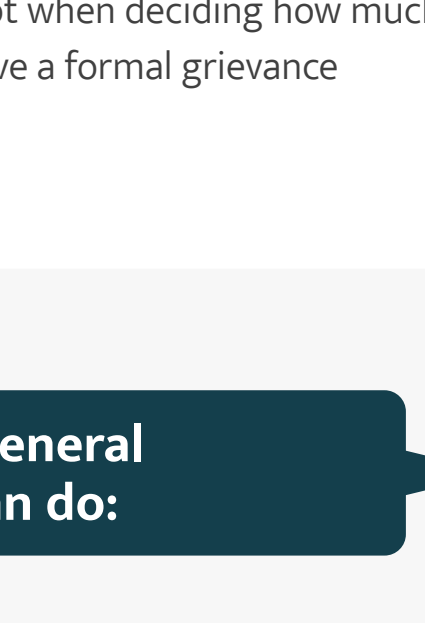
EQUALITY: firmly established under the Equality Act 2010 - it is the right for everyone to be treated without discrimination in respect of age, gender, disability, race, religion, sexual orientation etc.

DISCRIMINATION: there are four different types of discrimination; direct, indirect, harassment and victimisation. All of these are prohibited.

Why should I raise a grievance?

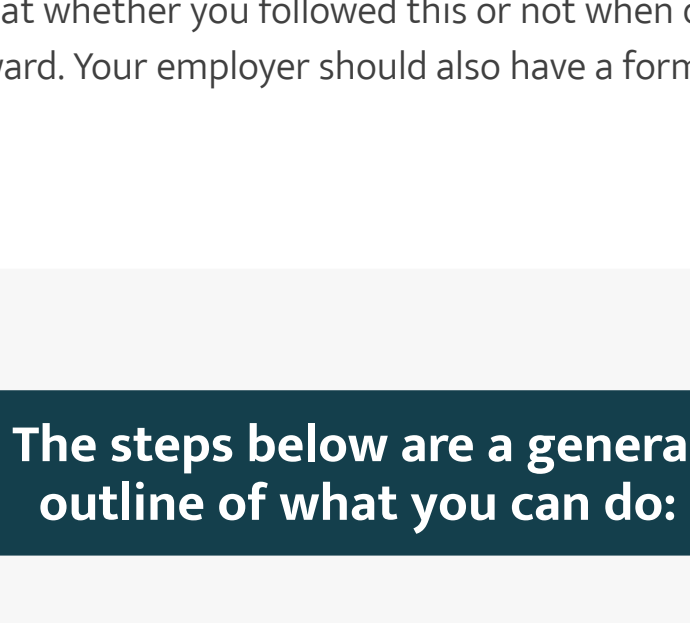
The law exists partly to protect employees from unscrupulous employers who may wish to mistreat or exploit them, or allow unreasonable behaviour from work colleagues to go unpunished.

If you think you have genuine grounds for a complaint, this protection should be sought. The benefits of seeking legal representation are: the situation can be stopped, it can be prevented from happening again, and it could also help others in similar situations.



What should I do if I think I have a formal grievance to raise?

The first thing to do is seek some advice from an employment law solicitor. If you're thinking of bringing an action against your employer, the chances are that you might feel a bit daunted. Taking early legal advice can strengthen your claim and provide you with the support that you need.



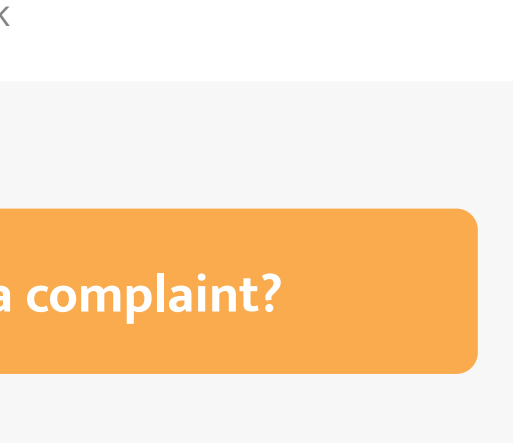
Then there are certain steps you should take, starting with the ACAS code of practice. This is a code which sets out the correct way to tackle employment issues, and whilst it's not compulsory, if your claim should go to an Employment Tribunal, the bench may look at whether you followed this or not when deciding how much compensation to award. Your employer should also have a formal grievance procedure to follow.

The steps below are a general outline of what you can do:

- 1 Write to your employer to put your complaint in writing. You should include as much detail as possible.
- 2 Meet with your employer to discuss the situation.
- 3 If you aren't happy with the outcome, then you can appeal to your employer.
- 4 If you still aren't happy, then, at this point, mediation is an option to try to resolve the matter more informally.
- 5 If you still are not satisfied then you can take your claim to an Employment Tribunal. All the circumstances will be examined and a decision made accordingly. Whether or not you have tried to resolve the issue before this point may be reflected in any compensation you are awarded.

REASONS TO FOLLOW THE ACAS CODE

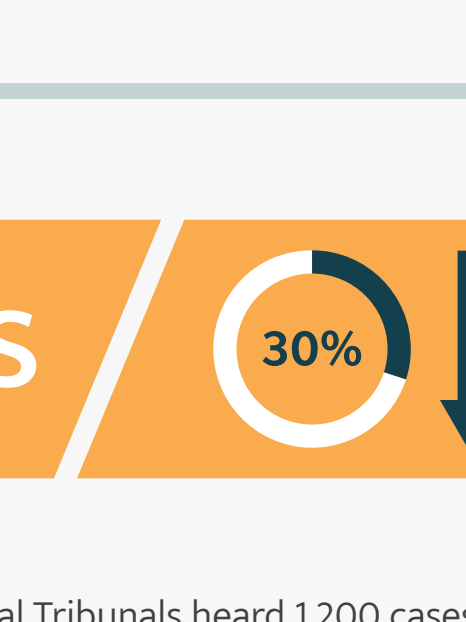
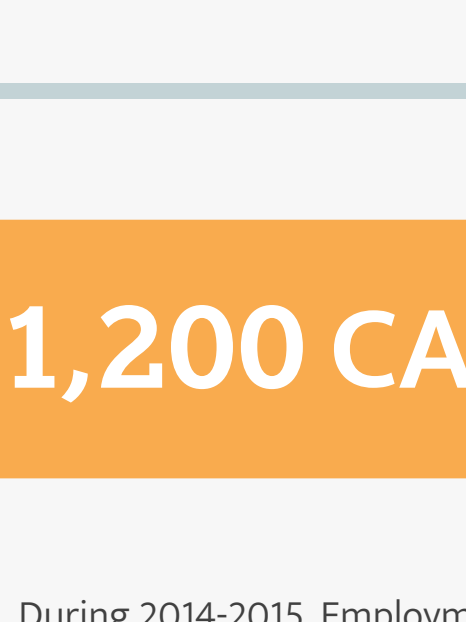
It's worth bearing in mind that Employment Tribunals can increase compensation by up to 25% if they find that the employer concerned has 'unreasonably' failed to follow the ACAS code. Similarly, they can reduce the award by up to 25% if the employee has failed to follow the code.*



*www.acas.org.uk

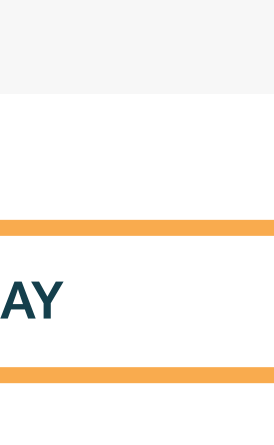
Am I alone in bringing a complaint?

Certainly not. There has been a big surge in tribunals in recent years as employees become more aware of their rights. Statistics show that employers are also taking the procedure more seriously now.



During the annual period 2014-2015, 75% of claimants were represented by a lawyer. This is higher than the figure for 2013-2014, where only 71% of claimants had a lawyer acting for them.**

1,200 CASES



During 2014-2015, Employment Appeal Tribunals heard 1,200 cases against decisions, which was 30% less than the previous year.**

**www.gov.uk

CONTACT ORATTO TODAY

For further information on our services, or to discuss contacting a member employment lawyer, please contact Oratto today. Alternatively, use our Oratto Match facility so that we may suggest the member employment lawyers most suited to your case.

We understand an employment dispute can be difficult, but with the right legal representation you give yourself the best chance of ensuring a positive outcome. We can connect you straight away with one of our member solicitors who has specific knowledge of this sector and the experience to assist you in your claim.

THIS PDF HAS BEEN CREATED BY ORATTO
CLICK HERE TO FIND A SOLICITOR NEAR YOU

Oratto