



**CILEX Level 3 Certificate in Law and Practice/
CILEX Level 3 Professional Diploma in Law and Practice**

Unit 13 – The Practice of Employment Law

Question paper

June 2023

Time allowed: 1 hour and 45 minutes (includes 15 minutes reading time)

Instructions and information

- It is recommended that you take **fifteen** minutes to read through this question paper before you start answering the questions. However, if you wish to, you may start answering the questions immediately.
- You must answer **all** questions.
- This question paper is out of 70 marks.
- The marks for each question are shown — use this as a guide as to how much time to spend on each question.
- Write in full sentences — a yes or no answer will earn no marks.
- Full reasoning must be shown in your answers.
- Statutory authorities, decided cases and examples should be used where appropriate.
- You are allowed to use your own printed copy of the pre-release case study materials, as long as the materials are not annotated in any way. Alternatively, you can access the electronic version of the pre-release case study materials available in the examination.
- You are allowed to make notes on your scrap paper during the examination.
- You are **not** allowed access to any statute books.
- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

Turn over

Answer ALL questions.

Question 1

Reference: Question relates to **Documents 1** and **2** of the case study materials.

- (a) Explain whether Marcy Wu is correct in assuming that her employees must work 60 hours a week.
(6 marks)
 - (b) Explain whether Marcy Wu is entitled to pay Don Knight £5 per hour.
(5 marks)
 - (c) Explain whether clause 2.2 in Robbie Vaughan's contract of employment will be enforceable.
(6 marks)
 - (d) Give **two** examples, other than a contract of employment, of non-contentious work you may carry out for Marcy Wu.
(2 marks)
- (Total: 19 marks)**

Question 2

Reference: Question relates to **Documents 1** and **3** of the case study materials.

- (a) Draft the response to section 8.2 of the ET1 Form (**Document 3**) on behalf of Geraldine Linklater.

(10 marks)

- (b) Identify how long Geraldine Linklater has to submit an ET3 Form.

(1 mark)

An ET3 Form is submitted in time and the matter proceeds with the Employment Tribunal issuing Standard Directions.

- (c) Give **four** examples of the directions the Employment Tribunal is likely to issue in this case.

(4 marks)

- (d) Explain how the level of compensation will be calculated should the Employment Tribunal ultimately decide that Peter Taylor was unfairly dismissed.

(4 marks)

(Total: 19 marks)

Turn over

Question 3

Reference: Question relates to **Documents 1** and **4** of the case study materials.

- (a) Identify and explain the provisions in the Equality Act 2010 that may have been breached by the decision not to interview Jane Waterhouse.
(6 marks)
- (b) Identify the potential remedy available to Jane Waterhouse should she be successful in bringing a claim.
(3 marks)
- (c) Explain the obligation, if any, of Jane Waterhouse's previous employer to provide a reference.
(6 marks)

(Total: 15 marks)

Question 4

Reference: Question relates to Documents **1** and **5** of the case study materials.

- (a) Explain Honey Yates's rights in respect of dependents.

(5 marks)

- (b) Explain the procedure that Elon Nairn's employer must follow if a decision is made to close the warehouse at which he works.

(6 marks)

- (c) Identify the potential claim available to Percy Jenkins at **common law** in respect of his dismissal and explain what he must prove to establish such a claim.

(6 marks)

(Total: 17 marks)

End of the examination

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