



**CILEX Level 6 Single Subject Certificate/CILEX Level 6 Professional Higher Diploma in Law and Practice/CILEX Level 6 Graduate Fast-Track Diploma**

**Unit 4 – Employment Law**

**Question paper**

**June 2026**

**Time allowed: 3 hours and 15 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.
- There are **two** sections in this question paper — Section A and Section B. Each section has four questions.
- You must answer **four** of the eight questions — at least **one** question must be from **Section A** and at least **one** question must be from **Section B**.
- This question paper is out of 100 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 make notes on your scrap paper during the examination.
- A basic calculator is provided should you require the use of one.
- You can use your own unmarked copy of the following designated statute book — ***Blackstone's Statutes on Employment Law, 32nd edition, Richard Kidner, Oxford University Press, 2023.***
- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

## SECTION A

Answer at least one question from this section.

1. (a) Critically evaluate whether case law interpretation of restrictive covenants results in employees experiencing a 'restraint of trade'.

**(15 marks)**

- (b) Explain the circumstances under which variations may be made to the contract of an employee transferred under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) 2006.

**(10 marks)**

**(Total: 25 marks)**

2. 'Protection from workplace discrimination is a fundamental statutory right. However, case law interpretation of an Employer Justified Retirement Age results in occurrences of age discrimination being allowed.'

Critically analyse the statement above.

**(25 marks)**

3. Critically assess the adequacy of statutory protection given to employees in a redundancy in relation to:

- the selection criteria;
- remedies available where an employer fails to follow a proper redundancy procedure.

**(25 marks)**

4. 'An important principle of law requires the protection of "mothers" both during their pregnancy and after; including where the woman suffers a miscarriage. However, the current statutory measures do not provide mothers with adequate rights and protection during this crucial time.'

Critically assess the statement above in relation to the right to shared parental leave and bereavement leave.

**(25 marks)**

## SECTION B

Answer at least one question from this section.

### Question 1

Andrea is a 22-year-old female who has been employed by 'Bubbles Restaurant' as a waitress for the past four years. Colin also works at Bubbles Restaurant as a server; he is 59 years old.

One day, Andrea was eating her lunch, a sandwich, in the staff room. Colin asked Andrea where she got her sandwich from as it is the exact type sold in the restaurant. Andrea told Colin that she made the sandwich herself and brought it from her home. Later that day, Andrea was called to a meeting with her manager, Haifa. Haifa told Andrea that Colin reported seeing Andrea stealing a sandwich from the restaurant and then eating it in the staff room. Andrea denied doing so and explained that she had brought the sandwich from her home and they could check the restaurant stock if they did not believe her.

Haifa told Andrea that there was no need to make such checks as Colin is 'a senior man and a trusted member of staff' and that management believed his statement. Haifa told Andrea they could no longer keep her as a member of staff. Andrea began to get emotional and said she had a right to defend herself; Haifa told her 'Just because you're a young girl doesn't mean you can cry your way out of this'. Andrea was dismissed by email later the same day for gross misconduct.

Donatella has also been employed at 'Bubbles Restaurant' as a chef for the last 18 months. She recently found out that she is paid 10% less than her colleague, Lucas, who also works in the kitchen as a chef. When she enquired as to why there was this difference in payment, Donatella was told that Lucas has higher qualifications than she does and that he has also worked for the restaurant for the last 15 years; this is why his pay is higher than hers.

Advise Bubbles Restaurant if it has breached the rights of:

- Andrea;
- Donatella.

**(Note to candidates: Do NOT consider remedies.)**

**(25 marks)**

## Question 2

Tariq has been hired to work as a line manager at Cakes Café. He was hired on an 18-month fixed-term contract. Permanent line managers at Cakes Café get the use of a company laptop. Tariq does not receive this benefit. When he queried this, Tariq was told that company laptops are costly and can therefore only be given to permanent employees.

Jalil also works at Cakes Café as a waiter. He is an agency worker and has worked at Cakes Café for 15 weeks. Jalil has not been allowed to use the staff canteen throughout his time working at Cakes Café due to agency workers being restricted from using the staff canteen.

One of the permanent employees at Cakes Café, Zoe, recently resigned after working at the café for five years as a waitress. When Zoe asked for an employment reference from her manager, she received a letter that included the statement ‘...while Zoe was a good employee overall, she would often arrive late to work. I therefore cannot recommend her as a reliable employee’. Zoe had a perfect employment record with Cakes Café and had never been disciplined for lateness. Zoe believes the reference was written with malice, as her manager did not want her to leave the job as it meant the café would need to find and train another waitress to replace her.

Advise Cakes Café if it has breached the rights of Tariq, Jalil and Zoe.

**(Note to candidates: Do NOT consider remedies.)**

**(25 marks)**

### Question 3

Denise was recently hired to be a sales assistant at Yoodlers Ltd , a clothing store. Patty is the manager of Yoodlers Ltd.

One busy Saturday afternoon at the store, Denise was having a conversation with a male customer. Patty felt that Denise had been talking to the customer for too long and she told Denise 'You are not being paid to find yourself a boyfriend, please behave with some decency in the workplace'. This comment was made in front of the customer and Denise's co-workers. Denise was very embarrassed by this comment and immediately stopped talking to the customer. Later that day, Denise told Patty that she felt her comment was rude and that she would not be spoken to like that in her workplace. Patty told Denise 'I am the person in charge here and if you don't like it, you can leave the job'. Denise resigned later the same week, she worked at Yoodlers Ltd for a total of two months.

Yoodlers Ltd also employs Farooq. He is 23 years old and has been working at Yoodlers Ltd as a security guard for the past four years. Farooq's regular working hours are 8 a.m. to 5 p.m. five days a week and he is paid £7.80 per hour; his payment amount and working hours have remained the same throughout the duration of his employment with Yoodlers Ltd. Last month, Farooq was told that the store would be closed for refurbishment for one week and he would not be needed to work for that one week out of the month. Farooq was told that he would still receive 50% of his wages for that week as a gesture of good will from the company. Farooq returned to his usual working hours and wages the following week.

Farooq's wife recently gave birth and sadly their son was born with a heart condition that required him to spend the first two weeks of his life in intensive care in the hospital. During this time, Farooq requested leave to visit his son at the hospital. This request was denied by Yoodlers Ltd.

(a) Advise Denise if she has been constructively dismissed by Yoodlers Ltd.

**(10 marks)**

(b) Advise Farooq if his rights have been breached by Yoodlers Ltd.

**(15 marks)**

**(Note to candidates: Do NOT consider remedies in any part of the question.)**

**(Total: 25 marks)**

#### Question 4

QuikNotes is a stationery supplies shop; Cassandra is its manager.

Ito was employed by QuikNotes as a storeroom assistant. Last month, Ito was using a kettle in the staff room to make some tea. Ito noticed that the kettle was leaking boiling water and he narrowly avoided a burn to his hand when using the item. Ito did not want any other member of staff to use the kettle and risk getting burnt so he immediately removed the kettle from the staff room and safely disposed of it.

Ito notified Cassandra that he had done this and the reason why. Cassandra told Ito that he had no right to remove and dispose of the kettle from the staff room, irrespective of its condition. Cassandra dismissed Ito with immediate effect for 'destroying company property'. Ito had worked at QuikNotes for a total of 14 months.

Hubert also works for QuikNotes as an assistant manager. Hubert is a transgender male. Cassandra often asks Hubert questions about his personal life but he never shares any details with her. One afternoon, Cassandra asks Hubert 'Do you like men or women?'. Hubert refuses to answer and tells Cassandra that he does not discuss his personal life at work. Cassandra proceeds to tell him 'I only asked as you still look like a woman to me, maybe you need you need more hormones to look masculine!'. Hubert walked away from Cassandra at this point as he felt too embarrassed and humiliated to respond.

Hubert told his colleague, Yusif, about the comments made to him by Cassandra and how he felt too intimidated to respond to her. Yusif later told Cassandra how upset Hubert was at her comments and asked that she please not ask him such personal questions again. Cassandra told Yusif to 'mind your own business and get back to work'. Later the same day, Yusif found out that Cassandra had removed his 'employee of the month' award and bonus payment that he had been given for his hard work the previous month. Cassandra told Yusif that she no longer felt he was deserving of the award.

Advise QuikNotes:

- (a) if it has unfairly dismissed Ito and on the remedies available to him;

**(10 marks)**

- (b) if it has breached the Equality Act 2010 rights of Hubert and Yusif and the remedies available to them.

**(15 marks)**

**(Total: 25 marks)**

**End of the examination**