



THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES

UNIT 19 – THE PRACTICE OF EMPLOYMENT LAW*

Time allowed: 3 hours 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 read this question paper fully.** However, you may make notes on this question 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 may use in the examination their own unmarked copy of the designated statute book: Blackstone's Statutes on Employment Law 2020-2021, 30th edition, Richard Kidner, Oxford University Press, 2020.**
- Candidates must comply with the CILEX 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 ballpoint 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 CILEX qualifications: **LEVEL 6 CERTIFICATE IN LAW, LEVEL 6 PROFESSIONAL HIGHER DIPLOMA IN LAW AND PRACTICE** and the **LEVEL 6 DIPLOMA IN LEGAL PRACTICE**

Question 1

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

Draft a letter to Amy Casper:

(a) advising whether Clause 9.2 is likely to be binding upon Farah Glenn;

(12 marks)

(b) explaining the potential remedies available to Brianne's Bookstore, if Farah Glenn is found to have breached Clause 9.2.

(8 marks)

(Total: 20 marks)

Question 2

Reference: Question relates to **Document 3** of the case study materials.

Draft an email to Nabil Otterton:

(a) explaining the benefits of having a company policy against bullying and harassment;

(10 marks)

(b) advising whether Imogen Jagger's rights have been breached.

(15 marks)

(Total: 25 marks)

Question 3

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

- (a) Describe the 'independent advice' requirements of a valid settlement agreement.

(8 marks)

Advise Peter Styles on:

- (b) whether he was entitled to paid paternity leave;

(8 marks)

- (c) any potential remedies that he **may have** against Vans Ltd for his dismissal.

(9 marks)

(Total: 25 marks)

Question 4

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

Advise Yin Egbert on whether:

- (a) he has the protected characteristic of a disability;

(6 marks)

- (b) Quays LLP has discriminated against him.

(9 marks)

Assuming that Yin Egbert wishes to pursue the matter:

- (c) describe the time limits and the forum in which he would bring a claim and draft the contents of an ET1 form for Yin Egbert in a discrimination claim.

(15 marks)

(Total: 30 marks)

End of Examination Paper