



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 2018-2019, 28th edition, Richard Kidner, Oxford University Press, 2018.**
- 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.

(a) Draft an email advising Karl Green on:

(i) what legal protection Carly Smith is entitled to by virtue of her hearing loss;

(11 marks)

(ii) whether Prognomen Ltd is obliged to provide Carly Smith with the amplified speaker system that she has requested.

(6 marks)

(b) Advise Karl Green on the legal validity of the settlement agreement specifically drafted in **Document 2**.

(8 marks)

(Total: 25 marks)

Question 2

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

Advise Jennifer Keys on:

(a) Keith Brown's right to request flexible working and how she should respond to his request;

(9 marks)

(b) whether she can dismiss Sam Cartwright;

(8 marks)

(c) the requirements for a claim under the Equality Act 2010 sex equality clause and whether Tia Reef meets these requirements;

(8 marks)

(d) any relevant defences she may raise, if Tia Reef brings a claim under the Equality Act 2010 sex equality clause.

(5 marks)

(Total: 30 marks)

Question 3

Reference: Question relates to **Documents 4 and 5** of the case study materials.

- (a) Advise Gita Patel why she ought to adopt general company policies and procedures regulating employment relations within her organisation.

(NOTE: Do not discuss the effect on claims of unfair dismissal.)

(10 marks)

- (b) Draft an appropriate clause to be included in Rambert Clarke's contract of employment to protect the legitimate interests of the employer.

(10 marks)

(Total: 20 marks)

Question 4

Reference: Question relates to **Document 6** of the case study materials.

Draft a letter advising Frances Sonny on:

- (a) whether she has potentially been unfairly dismissed;

(8 marks)

- (b) the remedies available if her claim for potentially unfair dismissal is successful and how these amounts are calculated

(NOTE: Do not make any calculations);

(9 marks)

- (c) whether and how the initial decision of an employment tribunal can be challenged.

(8 marks)

(Total: 25 marks)

End of Examination Paper

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