



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 2019-2020, 29th edition, Richard Kidner, Oxford University Press, 2019.**
- 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 an email to Jack Carlisle, explaining:

- (a) whether Kasey Tanner has a legitimate claim in relation to harassment and on any other statutory basis;

(12 marks)

- (b) Paul Costa's statutory rights in relation to his gender reassignment and his right to accompany his partner to an antenatal appointment, and whether any of these rights have been breached;

(11 marks)

- (c) the legality of the termination of Paul Costa's employment.

(7 marks)

(Total: 30 marks)

Question 2

Reference: Question relates to **Documents 3 and 4** of the case study materials.

- (a) Draft an email advising Adam Brown on:

- (i) the extent to which Wired Connections Ltd can prevent Jaclyn Bower from continuing to operate her consultancy business;

(7 marks)

- (ii) how to protect Wired Connections Ltd's business information from being used in the context of Jaclyn Bower's business.

(7 marks)

- (b) Draft an appropriate restrictive covenant to be incorporated into the contract of employment of an employee in a senior role such as Jaclyn Bower.

(11 marks)

(Total: 25 marks)

Question 3

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

(a) Advise Winny Chung on:

(i) whether Finest Burgers Ltd was entitled to know about Keshawn Lette's disciplinary warnings upon taking over service provision from Superb Lunches Ltd;

(9 marks)

(ii) any remedies available to Finest Burgers Ltd.

(7 marks)

(b) Advise Winny Chung how she can use a settlement agreement to protect against future claims by Keshawn Lette.

(9 marks)

(Total: 25 marks)

Question 4

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

(a) Advise Yasha Benny on:

(i) statutory protection of employment status in maternity;

(5 marks)

(ii) her statutory right to return to her current employment after taking maternity leave.

(5 marks)

(b) Advise Yasha Benny on the process of bringing a claim to employment tribunal and on any financial costs incurred if she loses the claim.

(10 marks)

(Total: 20 marks)

End of Examination Paper

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