

Recent Cases: Employment Law

EMI share option plans

Gemma Ritchie frequently acts in preparing documentation to effect enterprise management incentives (EMI) share option plans. This involves working closely with the clients' accountants to ensure the various requirements and formalities of the relevant legislation are complied with and preparing detailed plan documents setting out the circumstances in which the options can be exercised and the rules applying to the options.

Advice on discrimination risk of women-only programmes

Our Employment Law team is assisting and advising an international employer on the potential discrimination risks of implementing a financial industry programme that is available to women only.

Severance from Premiership football club

Paul Maynard successfully negotiated a severance package from a Premiership football club on behalf of a European Football scout.

International company transfer of employees

Our Employment Law team acted for an international employer with a UK subsidiary in obtaining its Tier 2 sponsorship licence, allowing it to transfer overseas employees to fill roles in the UK.

Redundancy programme for barristers' chambers

Paul Maynard has been advising and assisting in the implementation of a redundancy programme for a well known set of barristers' chambers following recent cuts to the family legal aid budget and proposed cuts to criminal legal aid.

Disability discrimination claim defended

Paul Maynard successfully defended an international copyright licensing company in a four-day Employment Tribunal claim brought by a former employee, alleging disability discrimination, in particular direct discrimination, discrimination arising from disability and failure to make reasonable adjustments. After hearing four days of evidence the Employment Tribunal unanimously rejected all the Claimant's claims confirming that her dismissal had been for poor performance and had been entirely unrelated to the Claimant's disability.

Sex discrimination claim against LEA

Paul Maynard is acting for a former school teacher in her claim against a local education authority for pregnancy-related dismissal and sex discrimination. The case involves a novel point of law relating to how to reconcile the School Staffing (England) Regulations 2009 concerning the delegated powers of school governors to recruit teachers within their schools with the obligation of the local authority under the Maternity and Parental leave, etc Regulations ("MAPLE") 1999 that requires a pregnant employee to be offered any suitable alternative post that is available. The case also explores previously undecided issues under EC Directive 92/85 and the MAPLE Regulations. The case is likely to be heard by the President of the Employment Appeal Tribunal later in the year.

Lawfully setting up a competitive business

Paul Maynard is advising a senior sales manager on how to go about setting up his own competitive business without infringing his legal duties to his employer. The case raises the difficult issue of what preparatory steps an employee can take before crossing the line of unlawful competitive activity.

Recent Cases: Employment Law

Landmark LinkedIn injunction

Paul Maynard represented Whitmar Publications Ltd in its application to the Chancery Division of the High Court for a Springboard Injunction against three former employees and their new publishing company, to prevent them dealing with customers whose names featured on business cards unlawfully removed by one of the employees when he left. Mr Peter Leaver QC, sitting as a Deputy High Court Judge, not only granted the Springboard Injunction until trial or further order but ordered that control and management of the Defendants' LinkedIn groups that they had created whilst employed by Whitmar should be returned to Whitmar and also ordered that the Defendants were not permitted to access the said groups. This is the first case in which an injunction has been granted relating to the transfer of LinkedIn contacts. [Find out more.](#)

Contact us

For expert legal advice on any employment law matter contact Employment Law Services Partner Paul Maynard on **01323 435 900** or pcm@gabyhardwicke.co.uk.