Belief in the Labour Party equivalent to religious belief

In Olivier v Department for Work and Pensions, the Tribunal found a strong commitment to a political party amounts to as much of a protected belief for the purposes of bringing a discrimination claim as a religious belief.

The proportionality test in discrimination

The Court of Appeal said that the concept that ‘not working on a Sunday is not core to Christian belief’ is irrelevant for Tribunals working out whether a Christian’s belief that she should not be required to work on Sundays for faith reasons should be granted.

Dismissing sick employees for long term absenteeism is okay if a reasonable employer

would do the same

The Scottish Courts found that it is potentially reasonable to dismiss a long term absentee employee for ill health even though Occupational Health indicated a potential return within the next couple of months.

How important are occupational health reports?

In Gallop v Newport City Council, the Court of Appeal found that employers cannot necessarily say they did not know that an employee was disabled even though Occupational Health had diagnosed the employee as not disabled.

Agency workers loophole

The Employment Appeal Tribunal has said that agency workers on open ended contracts with companies are not covered by the Agency Workers Regulations 2010 because they are not ‘temporary’.

Proposed TUPE amendments

Parliament has amended the TUPE regulations, which are in force in respect of transfers occurring on or after 31 January 2014.