

When can an employee refuse suitable alternative employment?

```
[et_pb_section admin_label="Section" global_module="136"
fullwidth="on" specialty="off" transparent_background="off"
background_color="#ffffff" allow_player_pause="off"
inner_shadow="off" parallax="off" parallax_method="off"
padding_mobile="off" make_fullwidth="off"
use_custom_width="off" width_unit="on" make_equal="off"
use_custom_gutter="off"] [et_pb_fullwidth_code
global_parent="136" admin_label="Post
Header"] [Page_Header_Start] Employment Law News
[Page_Header_End] [/et_pb_fullwidth_code] [/et_pb_section] [et_pb
_section admin_label="section"] [et_pb_row
admin_label="row"] [et_pb_column type="3_4"] [et_pb_text
admin_label="Text" background_layout="light"
text_orientation="left" use_border_color="off"
border_color="#ffffff" border_style="solid"]
```

When can an employee refuse suitable alternative employment?

[post_details]

[Social-Share]

[post_tags]

In *Devon PCT v Readman*, Mrs Readman was a community matron at Devon Primary Care Trust. Her role was focused on managing

community and district nursing in a small community hospital which had only 12 beds.

In 2007, she was placed at risk of redundancy and was offered the role of modern matron, which involved 10% managerial duties, 45% hospital matron duties and 45% as team leader. She rejected this position on the basis that her qualifications were in community nursing and she had chosen not to work in a hospital since 1985 and had no desire to go back. She also wished to emigrate to Canada.

The question which the Tribunal had to consider was: (a) whether Mrs Readman had *unreasonably* refused the offer; and (b) was she entitled to a statutory redundancy payment?

This case went up to the Court of Appeal who held that the Tribunal had failed to address Mrs Readman's point that she did not want to work in a hospital because her career path was community nursing and the Tribunal needed to look at the relevance of Mrs Readman's emigration plans. This amounted to an error of law and the case was remitted to the Tribunal for a decision.

```
[/et_pb_text][/et_pb_column][et_pb_column
type="1_4"][et_pb_sidebar      admin_label="Sidebar"
orientation="right" area="sidebar-1" background_layout="light"
remove_border="off"]
[/et_pb_sidebar][/et_pb_column][et_pb_row][et_pb_section]
```