

## Overview

This standard is about providing clients with information and advice at the point of initial contact with the service. The information and advice you provide will relate to employment legal advice. As part of this standard you will need to know how to decide when to refer clients on to

## Performance criteria

*You must be able to:*

1.  
communicate with the client in a manner appropriate to their understanding and needs
  - 1.1 explain to clients the legal advice services you can offer in line

## Knowledge and understanding

### *You need to know and understand:*

You need to know and 1. how to adapt communication styles in ways which are appropriate to

the needs of the client

1. legislative frameworks in your jurisdiction relating to employment categories of employment status
2. tests available for employment status, and:
  - 3.1 their purpose
  - 3.2 where to source employment tests
  - 3.3 how to use and apply employment tests
3. specific statutory rights protecting different clients and client groups
4. how statutory rights in work are affected by status
5. differences between statutory and contractual rights in employment
6. available sources of evidence for contractual terms
7. the key contractual issues that arise at work
8. legislation frameworks relating to discrimination in employment
9. scope and eligibility of discrimination described in legal frameworks
10. key types of discrimination at work
11. tests available for discrimination, their purpose, and where to source these
12. key responsibilities of employers in relation to disabilities

13.

eligibility criteria for different forms of dismissal, including:

14.1 wrongful dismissal

14.2 unfair dismissal

14.3 constructive dismissal

14.4 automatic unfair dismissal

14.

main statutory rights on termination of work, including:

15.1 redundancy

15.2 notice

15.3 dismissal

15.4 retirement

15.5 transfer of business

15.6 insolvency

15.7 lay off and short term working

15.

how to draft relevant documentation in simple cases, including:

16.1 grievances

16.2 appeal letters

16.3 tribunal claims

16.

types of employment procedures which employers apply

17.

the types of tribunals and courts in your jurisdiction relevant to employment disputes

18.

how time limits for tribunals and courts may be affected by statutory dispute resolution procedures

19.

potential outcomes from the range of options available for redress

20.

sources of available funding

21.

external resources available for consultancy and referral

SFJIB15



Provide first line employment legal advice

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