

**Citizens Advice
Case Study 2 Q2 – Year 3**

The client came to see Citizens Advice at Hoyland library for advice on what notice pay they were entitled to if their employer dismissed them.

The client had a stroke a year ago and has been unable to work ever since, however, they'd now like to return to work to carry out some lighter duties but assumed they'd just be dismissed instead.

They'd received a letter from their employer, a large company, wanting to meet the client to discuss their absence record, health and medical report carried out by the company. They also mentioned that the client may be dismissed.

The client has worked for the company for over 30 years but if dismissed would only get notice pay amounting to a maximum of 12 weeks worth of their normal weekly pay.

After exploring the client's health situation in detail and researching into their employment rights we advised they couldn't just be dismissed without the employer going through the correct processes as laid out in guidance by the advisory, conciliation and arbitration service, Acas. If the employer didn't follow such a process it could be unfair dismissal.

The client was completely unaware of this so was advised on what to expect at the meeting with the employer and that they could take a union representative with them. We also advised on what an Employment Tribunal would expect from the employer when dealing with a long-term absence due to ill health and what role Acas would play between the client and the employer.

The client was also advised that their employer may be discriminating against them due to their health after having had a stroke – if considered disabled the client is protected by the Equality Act 2010 and may be able to take action against their employer if they don't make reasonable adjustments for them at work.

As a result of the advice given the client has trade union representation at the meeting with the employer and they feel much more empowered and knowledgeable about their employment rights now.

This is an ongoing, current case where the adviser from Citizens Advice is providing support and advice to the client to ensure they don't suffer any wrongdoing or discrimination at work.