John Clinch

Senior Associate, Employment

Corporate Solicitors

John is an experienced lawyer who qualified in 1990 and has spent some 16 years in private practice. He also worked for a number of years as Legal Officer for one of the UK's largest trade unions, and before joining 3CS was in local government as a Senior Solicitor at the Royal Borough of Kensington and Chelsea. His role included advising Westminster City Council.

Expertise

John is a practical and solution-driven employment lawyer at home equally in an employment tribunal defending claims against employers and in advising employers how to avoid those claims and helping to reorganise their businesses. His areas of particular expertise include:

- Defending claims of all types in tribunals, including unfair dismissal, discrimination, whistle-blowing, equal pay and working time
- Settlement of disputes at all levels of an organisation, from casual and agency workers to senior executives
- Industrial relations: handling trade unions, including consultations, collective agreements and industrial action
- Advising start-ups on compliance UK employment law and industrial practices
- Drawing up employment contracts and appropriate staff handbooks and policies
- Advising on business transfers, large and small, and the effects of TUPE
- Drafting specialised TUPE-related terms in commercial agreements
- Guiding clients through restructures and redundancy programmes
- Assistance on partners and employees moving and enforcing and resisting restrictive covenants.

Recent work

- Introducing a large US company to UK employment law and good industrial practices when they were becoming a UK public services provider
- Successfully dealing with all issues raised by a large-scale transfer of staff into an organisation under intense public scrutiny
- Negotiating the agreed departure of a CEO within a fixed deadline of one day and other high-profile terminations.

Reported cases

Unison v. Leicestershire County Council [2006], establishing the correct time for starting mass redundancy consultation; Cheesman and Ors v. R Brewer [2001], still the leading domestic authority on European law business transfer; Astle and Ors v. Cheshire County Council [2005] on establishing a relevant transfer under TUPE.

Education & Key Skills

- College of Law at Guildford
- LLB (Hons) in law, Manchester University
- Qualified Solicitor, England & Wales, 1990
- Trained mediator
- Has served on the Employment Lawyers Association (ELA) management committee for four years
- Delivered many talks and lectures for ELA and commercial seminar organisations

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