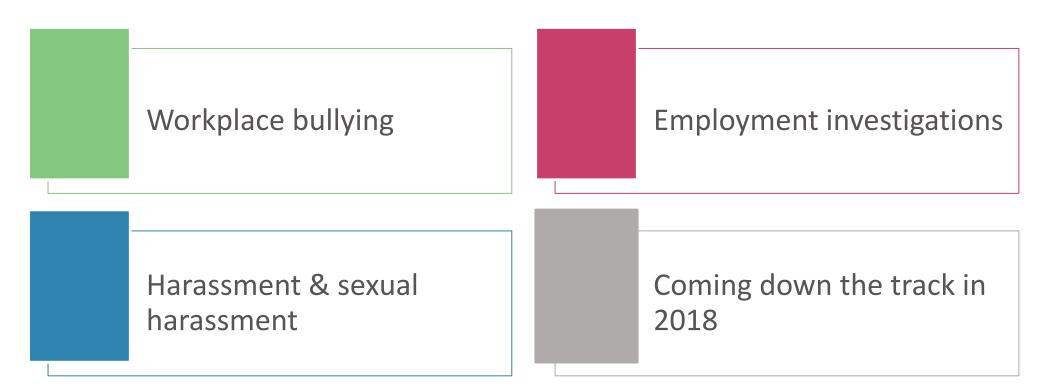


WHAT WILL THIS UPDATE COVER?



BUSINESS LAW UPDATE 2017 3 0 / 1 1 / 1 7 P A G E 1



BULLYING IN THE WORKPLACE

Repeated behaviour

Inappropriate behaviour

Undermining the individual's right to dignity at work

CASE LAW:

MR. JUSTICE
O'DONNELL NOTED IN
RUFFLEY V THE BOARD
OF MANAGEMENT OF
ST. ANNE'S SCHOOL
[2017] IESC 33

THAT "AT SOME LEVEL THIS NOVEL CASE WILL SET A BENCHMARK FOR ALL BULLYING CLAIMS".



INAPPROPRIATE BEHAVIOUR

Purposely undermining an individual

Targeting an individual for special negative treatment

The manipulation of a person's reputation

Social exclusion or isolation

Intimidation

Aggressive or obscene behaviour

Jokes that are obviously offensive to one person

Intrusion by pestering

Spying and stalking



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LESSONS FOR EMPLOYERS

Useful resource when analysing approach to complaints

Clarifies the meaning of the definition of workplace bullying

How to deal with retaliatory complaints in response to performance management

EMPLOYMENT INVESTIGATIONS

Recent case law

Cross examination

Legal representation

LOOK IT UP:

LYONS V LONGFORD WESTMEATH EDUCATION AND TRAINING BOARD [2017] IEHC 272

E.G. V THE SOCIETY OF ACTUARIES IN IRELAND [2017] IEHC 392



LESSONS FOR EMPLOYERS

Consider each internal employer investigation on its own facts

Importance of fair procedures in any investigation process



HARASSMENT & SEXUAL HARRASSMENT



RIGHT OF APPEAL

BUSINESS LAW UPDATE 2017 3 0 / 1 1 / 1 7 P A G E 8



COMING DOWN THE TRACK IN 2018

Retirement age 'Gig' economy Compliance

LOOK IT UP:

QUIGLEY V HEALTH SERVICE EXECUTIVE (THE HIGH COURT, 26 OCTOBER 2017)

UBER BV, UBER
LONDON LIMITED AND
UBER BRITANNIA
LIMITED V ASLAM &
OTHERS,
UKEAT/0056/17/DA