

£19,500 Flexible Work Claim

Communications giant Telewest was forced by an employment tribunal to pay £19,500 in compensation after refusing to grant employee, Deborah Clarke, suitable flexible working arrangements to allow her to care for her new born baby.



Deborah had requested flexible working arrangements six months before she was due to return to work after her maternity leave. **Telewest** continually refused to provide her with suitable working arrangements, demanding she worked evening and weekend shifts, making it impossible for her to look after her son.

The employment tribunal ruled against the communications company, making them pay £19,500 in compensation. **Telewest** has subsequently issued an apology and agreed to review its flexible working, dignity at work and maternity policies.

In response to the case, Chair of the **Equal Opportunities Commission**, Jenny Watson, said; *"Many women returning from maternity leave want to request flexible working, and employers need to treat those requests seriously if they are to avoid pregnancy discrimination which is, sadly, experienced by 45 per cent of pregnant working women."*

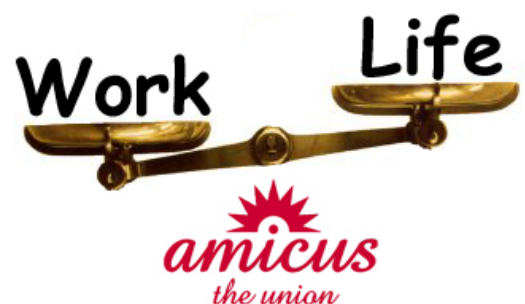
The right to flexible working...

The Employment Act 2002 contained provisions giving parents of children under six, or of disabled children under 18, the right to apply to work flexibly and employers now have a duty to consider their requests seriously. Whilst there is no automatic right to work flexibly for parents, the emphasis is now on employees and employers finding a solution that suits them both.

If you are looking into the possibility of requesting the right to work flexible hours to help look after your children, speak to your local union rep before seeing your manager.

Union reps can help members draw up their case, as it is necessary for the employee to submit the claim in writing not only also advising how the change in working pattern will help them care for their child, but also how the changes might affect the employer and how these could be accommodated.

The union can also help with an appeal if the employer refuses the request, which they can do though they must show clear business grounds why the request cannot be accommodated and not dismiss it out of hand (as Telewest found out to their cost).



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