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SOLICITORS

Essential Information Leaflet: EMPLOYMENT

BREACH OF CONTRACT

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Who can bring a claim for breach of contract?

In the Employment Tribunals employees can bring claims for breach of contract once the employment contract has ended. A claim for breach of contract may be brought within 3 months of the breach.

How much compensation can be awarded?

An Employment Tribunal has power to award compensation of up to £25,000. Claims of higher value may be brought in the County Court or High Court. Legal principles dictate that you cannot start a claim in the Employment Tribunal and then sue for the difference in the County Court or High Court.

Where the value of the breach is more than £25,000 or where the claim has not been brought within 3 months, employees may turn to the County Court and High Court (where financial limits are not imposed) and where an employee has 6 years in which to bring a claim.

What kinds of claims for breach of contract may Employees bring?

Employees who are entitled to contractual benefits which have been unilaterally denied may bring a claim for breach of contract – for example private health care benefits, pension benefits, right to a company car. The most common claim is one for failure to pay notice monies.

The information given herein is not a comprehensive guide to the law and is intended to be a brief and non-exhaustive summary only. Specific legal advice should be sought for actual cases.

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