



Employment mediation employee dispute case study

Employment mediation was entered into between an employer and ex employee who was being sued for libellous statements he published on his website about his previous employer. It was established that the ex employee was earmarked for a promotion, when this did not happen due to various reasons he resigned, shortly after which he started his own company, in direct competition to his previous employer.

On his website he made a number of libellous statements about his ex employer and the company, proceedings were instigated and mediation ensued.

Quite clearly the ex employee felt aggrieved about not getting this promotion which he clearly had put a lot of time and effort into securing, however he was never really made fully aware of all the reasons why he had not been promoted. Once these reasons were explained to him by his previous employer, which took some doing, he realised he had perhaps not acted as prudently as he could have.

Equally the ex employer was aggrieved as there was information out in cyber space about him and his company which could potentially be harmful to both, through a series of private and joint meetings the employer also realised that he could have managed the whole promotion and resignation issue better.

The ex employee, paid damages limited to £25,000 to his ex employer, each received an apology from the other for the respective parts they both played in this unfortunate situation, the ex employee, also agreed to remove all the statements he had made on his website, and to issue an apology on a section of his website.

Facts & figures

- **The mediation took 4 hours compared to the 8 months this employment dispute had already gone on.**
- **The mediation cost each party £425.00 each compared to the thousands they had already spent on legal fees and the thousands they would have had to spend had they continued with Court action.**