



Employment mediation contract dispute case study

Employment mediation, the claimant was instructed by the defendant to introduce candidates for the role of finance director with the defendant. It was agreed that there would be a 100% rebate of the introduction fee if the candidate (then under discussion) was in employment for less than 12 weeks and that the introduction fee would be the usual 25% with a further 5% payable if the candidate remained in employment for more than 12 weeks.

The claimant issued 2 invoices in respect of the above arrangement totalling some £27,000, the defendants claimed that the candidate had been dismissed before the 3 months, and owed nothing.

Mediation brought the key decision makers together face to face for the first time guided by their solicitors and the mediator they clearly saw that the contract clause they were both relying upon, came down to interpretation and how a District Judge would view this if it went to trial, simple, it was really a 50:50 gamble, the defendant finally and reluctantly agreed to pay £13,500.

Facts & figures

- **The mediation took 4 hours compared to the 14 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.**