MONACO SOLICITORS

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Dear Sir or Madam

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Many thanks for visiting Monaco Solicitors’ website. We attach copy of the document that you asked for and hope you will find it useful.

If we can be of any further help, please do get in touch by ‘phone or via our website.

Yours faithfully

Monaco Solicitors

**MONACO SOLICITORS - Without prejudice letter:**

**Demoted whilst on sick leave, settlement proposal**

[Human Resources]

[Company 1]

[Company 1 Address]

[17th May 2019]

**Without prejudice and subject to contract**

Dear [HR Manager],

OUR CLIENT: [Employee]

We write further to your email dated [27th April 2019] and confirm we have taken instructions on the same and respond as follows.

In terms of our client’s length of service, our client requests that you provide detail as to how the 8 years’ service is calculated.

Our client remains off sick with work related issues and as such, in order to conclude the appeal and grievance procedures, he must wait until his doctor confirms he is medically fit to do so. As it stands our client is due to revisit his GP on [24th May 2019].

Our client has been informed that he is no longer allowed to manage personnel, been demoted, given a final written warning and removed from all [Company 2] sites at [Company 2] request and threatened with being sacked within 4 weeks from [31st July 2018] for some other substantial reason if he did not find another job, this is before his appeal and grievance has been concluded.

Our client was informed that the Company would assist him to find suitable alternative employment, however nothing has happened since [31st July 2018] apart from being forwarded a list of job vacancies for a few weeks, with no other promise of help forthcoming, he would be better placed to consider any role only once his appeal and grievance has concluded.

The position as it stands can be concluded, provided a suitable settlement proposal is made. Your current offer is rejected by my client, however the following is made as a counter-offer, which shows significant movement by our client:-

Termination Date: [31st May 2019]

Unexpired notice: £13,356

Statutory Redundancy: As our client’s position and job is not being made redundant a service reward for 8 years: £8903.72

Loss of income from [February 2019] (4 months)

Pension uplifted and lost contributions made

Outstanding Bonuses for 2018/2019

Ex-gratia payment: 9 months: this accounts for our client’s future losses as he will find it difficult to find a pharmaceutical engineering role in the area, due to [Company 2] and [Company 1] encumbrances. He will also not be able to be employed with any company that has association with [Company 2] or [Company 1]

Outstanding annual leave accrued from [July 2017] of 52 days

As a total figure of settlement, my client believes that this is a good settlement for the Company as should he continue to make a successful claim, in addition to interest, he would also be making be awarded for injury to feelings (uncapped) and also 25% uplift for failure to follow the ACAS Code of Practice.

We should be grateful if the contents of this letter could be considered by the business and that a response is sent to us as soon as possible.

We await hearing from you accordingly.

Yours faithfully

[Lawyer name and signature]