YEAR OF CALL

AREAS OF EXPERTISE

Employment and Workplace Mediation, Travel & International Personal Injury Law, Mediation, Personal Injury, Employment

Employment CV

Awards And Scholarships
Diplock Scholar, Middle Temple; Chrystal Macmillan Prize, Middle Temple

Appointments
Fee Paid Employment Judge (2013) Yorkshire and Humber Region
Approved panel counsel for Equality and Human Rights Commission
ADR Group Accredited Civil Mediator

Profile

Rebecca Eeley has developed an excellent reputation for her employment law work and has a loyal following of clients across the public and private sectors. She is regularly recognised in the Legal 500 and Chambers and Partners guides to the legal profession

Rebecca is adept at analysing the most complex of legal disputes and distilling them to their essential points and themes. She is quick to grasp the priorities of her clients and to adapt her approach accordingly. In court she is calm under fire, quick thinking, tenacious and flexible. In cross examination she consciously adapts her style to obtain the most from each witness. Out of court her clients find her approachable and supportive style reassuring. Her in depth knowledge of both the brief and the law involved instil confidence and she is not afraid to give a clear headed assessment of a case together with practical advice.

Rebecca has a wealth of experience across all areas of employment law and has a particular interest in all strands of discrimination law. Her practice includes both unfair dismissal and redundancy cases and the more complex or lengthy cases involving TUPE, whistleblowing, discrimination and equal pay. Rebecca is equally at home acting for claimants and respondents and in cases involving the public or private sector. She frequently acts for and against local authorities, NHS Trusts and Police Authorities and for a number of well known large Limited Companies. She is just as at home acting in the County Court as in the Employment Tribunal system.

Rebecca is a fully trained and accredited mediator. She brings these additional skills to her court and advisory practice and is happy to act both as mediator or as advocate during mediations.

Rebecca regularly provides seminars and workshops for clients on topics of current legal interest and contributes to Chambers' 'Employment Insights' online webinars, most recently dealing with issues arising out of holidays and furlough. She is regularly involved in providing mock employment tribunal workshops. She is happy to provide training to lawyers, HR professionals and lay clients alike.

Recent Sample Cases

- Successfully represented national chain of estate agents in complex age discrimination and unfair dismissal claim arising out of substantial corporate restructure.

- Successfully represented claimant consultant doctor in multiday indirect sex discrimination claim concerning impact of child care, flexible 'on call' working and provision of consultant career progression within acute medicine.

- Successfully represented respondent bank in whistleblowing claim involving over 25 alleged protected disclosures together with allegations of automatically unfair dismissal for protected disclosures and health and safety activities.

- Successfully represented NHS Trust in multiday disability discrimination case involving multiple alleged disabilities, complex medical evidence, issues surrounding date of knowledge and multiple alleged reasonable adjustments.

- Successfully represented NHS Trust in complex multiday sexual orientation and race discrimination claim involving claims of harassment and direct discrimination with multiple witnesses and significant argument regarding the appropriateness of comparators.

- Successfully represented NHS Trust in complex multiday disability discrimination claim involving allegations of direct discrimination, harassment, victimisation, section 15 discrimination, reasonable adjustments and indirect discrimination.

Appellate Cases

- *Lee v HSBC Bank Plc UKEAT/0119/16/JOJ* Successfully represented respondent in claimant's appeal against finding that claimant (who suffered from anxiety and depression) was not disabled within the meaning of the Equality Act. Consideration of certified absence from work and whether this constituted a substantial adverse effect on ability to carry out normal day-to-day activities for the purposes of statutory definition.

-*Foster v Booker* UKEAT/1160/13 Successfully represented respondent at claimant's appeal in unfair dismissal claim. Arguments in relation to sufficiency of Tribunal's reasons/Meek compliance, perversity and the band of reasonable responses

- *Crossland v OCS Group UK Limited and British Airways Interior Engineering Limited* UKEAT/0340/12/SM Appeal against Tribunal decision to make a deposit order in a disability discrimination claim involving duty to make reasonable adjustments. Issue whether the Provision Criterion or Practice identified in the case put claimant at substantial disadvantage so as to trigger the duty to make reasonable adjustments. Discussion regarding comparison exercise in such cases.

- *Wincanton Plc v Atkinson and Marrison* [2011] All ER (D) 153 Oct UKEAT/0040/11 Successful appeal to EAT on behalf of respondent in unfair dismissal case. EAT substituted its own view that the dismissal was fair. Employee HGV drivers dismissed for allowing driving licences to lapse. Whether employer entitled to take account of potential adverse effects of employees' conduct in measuring the seriousness of the conduct even though those particular adverse effects had not occurred in the case in question. Tribunal also found to have erred in treating a previous case as establishing a precedent and imposing a tariff for punishment in cases of this nature.

- *Namoale v Balfour Beattie Engineering Services* Ltd UKEAT/0126/12/DM Appeal against PHR decision to strike out claims of unfair dismissal and health and safety/whistleblowing dismissal/detriment on grounds of no reasonable

prospects of success.

- *Healey and Stone v Wincanton Plc* UKEATPA/0043/12LA Appeal in case involving a wide range of claims for, inter alia, sick pay, wages and a statement of initial employment particulars. EAT decision in relation to claim of apparent bias on the part of the Tribunal and whether claimants had waived the right to allege bias at appeal.

- *Gordon Donnelly v Asda Stores Limited* UKEAT/0181/11JOJ Successfully resisted employee's appeal to EAT. Appeal by employee against a Tribunal decision that dismissal of the employee for acts constituting a risk to health and safety was fair. Employee sought to argue that section 98(4)(b) of the Employment Rights Act 1996 added a separate test of fairness which had not been applied by the Tribunal. Argument as to whether the Tribunal had misapplied the "band of reasonable responses" test and had failed to properly scrutinise the employer's decision.

Quotes

Employment (Northern Bar) Band 3"Widely respected for her ability to handle complex discrimination cases. Her practice also deals with matters relating to unfair dismissal, TUPE, whistle-blowing and equal pay."
- Chambers and Partners 2021

Employment (Northern Bar) Band 3"She is good with clients, sensible and pragmatic. The fact she is a part-time Employment Judge means she is able to offer additional insight."
- Chambers and Partners 2020

Employment Northern (Bar): Leading Barrister (Band 3) "Very clever and good with clients."
- Chambers and Partners UK Bar 2019

"She is good with clients and she is a solid advocate."
- Chambers and Partners 2018

'She has particular expertise in discrimination matters.'
- Legal 500, 2017

"Rebecca is widely respected for her ability to handle complex discrimination cases. Her practice also includes matters relating to unfair dismissal, TUPE, whistle-blowing and equal pay."
- Chambers and Partners 2017

"Down to earth and practical."
- Legal 500, 2016

"Though experienced in all employment law matters, regularly handling complex whistle-blowing, TUPE, equal pay and redundancy cases, she demonstrates particular interest in the field of discrimination. She regularly acts on behalf of public sector entities such as NHS trusts and police forces. 'She is very good at ensuring you got a deal done that the client is happy with and has a very conciliatory style.'"
- Chambers and Partners 2016

"She is an excellent lawyer who is always thoroughly prepared and good with clients - an excellent advocate."
- Chambers & Partners 2015

"Quick thinking and unflappable under pressure."

- Legal 500 2014

"She has excellent preparation skills on complicated matters. When there is a need to break down the complexities, she does it excellently."
- Chambers & Partners 2014

"demonstrates considerable talent"
- Legal 500 2013

Rebecca Eeley is someone who is clearly making strides at the Employment Bar. Wonderful with clients and extremely good on her feet, she has a keen interest in discrimination work.
- Chambers & Partners 2013

'has a commercial approach and down-to-earth attitude
- Legal 500 2012