



## **LEAH ASCHETTINO**

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## **BIOGRAPHY**

Leah is a Senior Associate in the Employment & Labor department where she advises on contentious and non-contentious employment law matters.

Leah has been involved in defending a number of Employment Tribunal cases, including cases involving discrimination and complex whistleblowing complaints. She also has a particular interest in data protection issues in the workplace and has managed and advised on complex data subject access requests.

Leah recently undertook a secondment to a large financial institution where she provided in-house employment law advice on a variety of workplace matters including disciplinary and grievance processes and Covid-19 issues.

Leah is actively involved in BCLP's pro-bono programme and advises a number of charitable organisations. She also sits on the executive committee of the London Young Lawyers Group.

## THE GROWTH OF CLASS ACTIONS: WHAT'S NEXT?

We explore the rapidly changing legal landscape

### ADMISSIONS

- England and Wales

### RELATED PRACTICE AREAS

- Employment & Labor
- Investigations
- Litigation & Dispute Resolution
- Regulation, Compliance & Advisory
- Employment Class & Collective Actions
- Cross-border Employment Issues

## RELATED INSIGHTS

Insights

Apr 29, 2024

### UK HR Two-Minute Monthly: April 2024

Our April update includes a case on AI facial recognition software that allegedly discriminated against black people, a case where an individual carrying out a dismissal did not have enough knowledge of protected disclosures for the employer to be liable for a whistleblowing dismissal, and a case on the issue of acts of discrimination continuing over an extended period. We also feature a news roundup on generative AI in the workplace, awareness (or lack of it) of the new flexible working rules and proposed new legislation limiting the scope of NDAs with regard to criminal matters.

Insights

Mar 27, 2024

### UK HR Two-Minute Monthly: March 2024

Our March update includes a case on whether a theatre and agency could dismiss an actor playing a lesbian role because of her devout Christian beliefs, and a case looking at whether an employee who spends virtually all her working time on a yacht outside the UK has the right to bring employment claims under UK law. We also feature a news round-up looking at the Treasury Committee's report on "Sexism in the City", focusing on employment

practices in financial services, the plans for a four day week in summer by the creation of “4August”, and the government’s views and written guidance on “Kinship Care”.

Insights

Feb 28, 2024

## **UK HR Two Minute Monthly: February 2024**

Our February update includes a case on the issue of whether job applicants can bring whistleblowing claims, and a case on who pays what compensation to a successful claimant. We also feature a news round-up looking at what employment law might look like under a Labour government, and new EHRC Guidance relating to menopause in the workplace.

Insights

Jan 31, 2024

## **UK HR Two Minute Monthly: January 2024**

Our January update includes a new Court of Session case giving (a degree of) certainty on settlement agreements prohibiting future unknown claims and a new case on constructive dismissal focusing on the rules around delaying a resignation and affirming the employment contract. We also feature a news round-up relating to an updated EHRC Code of Practice and Guidance to accompany the new law on sexual harassment due to come into force in October, the new ACAS Code of Practice on Flexible Working (including day one requests) and changes to the Paternity/Adoption leave rules.

Insights

Dec 20, 2023

## **UK HR Two Minute Monthly: December 2023**

Our December update includes a Scottish Court of Session case which holds that “women” as defined in the Equality Act 2010 includes transgender individuals with a gender recognition certificate, a case asking whether new whistleblowing claims can be brought when they were allegedly dismissed by the tribunal as well as being settled under a COT3 Agreement, and an important case on the importance of timing in redundancy consultations. We also feature a news update on new legislation coming into force in April 2024, and new draft guidance from the ICO aimed at recruitment/recruiters.

Insights

Nov 30, 2023

## **UK HR Two Minute Monthly: November 2023**

Our November update includes a Supreme Court decision on employment status and the right to join a trade union, whether a bonus clawback clause can be an unlawful restraint of trade, and how to deal with a “heat of the moment” resignation. We also feature a news update covering new UK legislation on working time and TUPE, the reform of Fit Notes, and new proposals relating to employers and the menopause.

Insights

Oct 31, 2023

## **UK HR Two Minute Monthly: October 2023**

Our October update includes a significant Supreme Court decision on how to treat historic underpayments of holiday pay, a preliminary tribunal hearing on whether a belief in race equality that opposed critical race theory was a protected philosophical belief, and another tribunal decision on when a refusal of alternative employment is unreasonable when the dismissal is unfair. We also feature a news update on the ICO’s latest guidance on

employee monitoring, reports on historically high levels of sickness absence, and a draft ACAS code of practice on requests for predictable working patterns.

Insights

Oct 04, 2023

## **New development in relation to underpayment of holiday pay**

Insights

Sep 28, 2023

## **UK HR Two Minute Monthly: September 2023**

Our September update includes cases on whether a transgender employee was discriminated against for being subject to a “gender specific” insult, the extent to which employers should enquire about employees’ disabilities in the recruitment process, and if a share incentive scheme not referred to in the employment contract could transfer under TUPE. We also feature a news update on new ICO guidelines for employers processing health data, the most helpful adjustments employers can make for employees experiencing menstruation or going through the menopause, and a report on the increasingly high level of sickness absence.