

Forewords	2	Widening the scope of part-timer protection
Key cases	3	ECJ rules on protection for women undergoing IVF Mayr v Bäckerei und Konditorei Gerhard Flöckner OHG, ECJ. Women undergoing in vitro fertilization treatment who have had their ova fertilized but not yet implanted are not 'pregnant' and thus not protected from dismissal by the EC Pregnant Workers Directive. However, the dismissal of a woman, if related to her in vitro fertilization treatment, amounts to discrimination on the ground of sex contrary to the EC Equal Treatment Directive, since only women can receive such treatment.
	4	Employer liable for suicide following accident at work Corr (Administratrix of the estate of T. Corr (deceased)) v IBC Vehicles Ltd, House of Lords. An employer was liable under the Fatal Accidents Act 1976 for the suicide of an employee who suffered severe depression after being seriously injured in an accident caused by the employer's negligence. The depression was a foreseeable consequence of that negligence and it was not uncommon for someone so afflicted to take his or her own life. The loss incurred by the employee's widow as a result of her husband's suicide was therefore not too remote to be recoverable; nor did the suicide break the chain of causation between the employer's negligence and the damage suffered.
	7	Prisoner on rehabilitation programme not an employee M and P Steelcraft Ltd v Ellis and anor, EAT. The relationship between a prisoner and the company for which he was working as part of a rehabilitation programme was not that of 'employment'. A tripartite agreement entered into between the prisoner, HM Prison Service and the company had the dominant purpose of rehabilitating the prisoner, and as such would not be characterised as a contract of service.
	9	Dismissal not 'causally connected' with paternity leave Atkins v Coyle Personnel plc, EAT. An employment tribunal had not erred in finding that the dismissal of an employee on paternity leave, following an argument he had with his manager, was not for a reason connected with the fact that the employee took such leave. For such a dismissal to be automatically unfair under the Employment Rights Act 1996 it must be 'causally connected' with the taking of paternity leave, rather than 'associated with' it.
	11	Part-time workers: EAT rejects 'sole reason' test Sharma and ors v Manchester City Council, EAT. The existence and the exercise of a term in part-time workers' contracts which allowed the employer to reduce their hours by two thirds, and which did not appear in the contracts of comparable full-time workers, infringed the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000. In so holding, the EAT departed from its earlier decision that, in order to attract liability under the Regulations, less favourable treatment must be solely on the ground of part-time status.
Case round-up	13	Extending time for adviser's fault <i>Ashcroft v Haberdashers Aske's Boys School</i> No contract with associate employer <i>Newton-Sealey v ArmorGroup Services Ltd and ors</i> Employee not entitled to sick pay during maternity leave <i>Department of Work and Pensions v Sutcliffe</i>
Feature	16	Sex discrimination legislation changes Following successful judicial review proceedings brought last year by the Equal Opportunities Commission, the Sex Discrimination Act 1975 has been amended to give full effect in domestic law to the Equal Treatment Amendment Directive. We outline the changes.
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