



Thomas O'Donohoe

Call 2007

Email thomas.odonohoe@3pb.co.uk

Qualifications

BA Hons (Oxon), Magdalen College, Oxford Graduate Diploma in Law, City University (Distinction) Bar Vocational Course, Inns of Court School of Law (Outstanding, 4th in year)

Scholarships

Tutorial Prize in Modern History, Magdalen College, Oxford (2000/1)

Exhibitioner, Magdalen College, Oxford (2000/1)

Lord Brougham Scholarship, Lincoln's Inn (2005)

Hardwicke Entrance Award, Lincoln's Inn (2005)

Lord Mansfield Scholarship, Lincoln's Inn (2006, Highest award available for the BVC)

Barstow Scholarship, Inns of Court School of Law (2007, for coming 4th in the year on the BVC)

Buchanan Prize, Lincoln's Inn (2007, for obtaining 'Outstanding' on the BVC)

Sunley Scholarship, Lincoln's Inn (2007)

Tom is regularly instructed by claimants and respondents in claims of unfair dismissal involving issues including redundancy (including redundancies engaging the protective awards regime under TULRA 1992), gross misconduct, alleged resignation (including whether the words used amounted to resignation / dismissal), 'forced resignation' and the qualifying period of continuous service, and constructive dismissal.

Recent cases of interest in this area have involved: the application of the Rehabilitation of Offenders Act 1974 in relation to an employer's policy of obtaining Enhanced Disclosures in respect of certain categories of staff; whether an employer could rely on a purported 'step one' letter given to the claimant when the business had subsequently been sold before the termination took effect and the employment had in practice continued beyond that date; and the circumstances in which a volunteer charity worker might be an employee within the meaning of the ERA 1996. Tom is also instructed in cases involving all forms of discrimination. Recent cases have addressed: the meaning of 'long-term' in the statutory definition of disability under the DDA 1995 in view of the House of Lords' decision in

SCA Packaging Ltd v Boyle

[2009] IRLR 746; whether the alleged verbal abuse of a 'nationality-specific' nature was 'on grounds of' the claimant's nationality / national origins for the purposes of the RRA 1976; the point at which the burden of proof shifts to the employer in a claim of age discrimination; and alleged pregnancy-related discrimination in circumstances where the claimant's male colleague covering her maternity leave was said to have been offered training and promotion not notified or offered to the claimant.

Tom's practice also encompasses the other standard areas of employment law, including unlawful deductions from wages, breach of contract (including bonus schemes), and claims engaging TUPE.

Tom is a member of the Employment Law Bar Association.

Professional Bodies

Employment Law Bar Association

Personal Injury Bar Association