

Jon Lang Mediation

Pensions - mediation examples

a pensions dispute involving claims by almost a 100 former or current employees (in various categories) concerning their entitlement to pensions benefits following redundancy, the case involving issues of construction of TUPE and the extent to which the obligation to pay benefits (an amount equivalent to the reduced deferred benefit payable on cessation of employment prior to normal retirement age) transferred to a new employer;

a pensions case involving a retrospective adjustment of an employee's leaving date following a contested dismissal without notice (but with an ex gratia payment in lieu of notice);

a multi-party professional negligence action against various legal advisors arising out of advice given to a company and trustees of a pension scheme in relation to its closure to future accrual of final salary pension benefits raising issues of fetters of power of amendment, proper valuation of the pension fund to assess loss e.g. buy-out basis, technical provisions basis, etc;

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