



Adam Ohringer

Year of Call: 2001

Call Clerk on 020 7827 4000

PRACTICE AREAS

Arbitration & Mediation | Commercial Law | Discrimination & Equality |
Employment | Human Rights | Professional Discipline

HIGHLIGHTS

Appeared before the Supreme Court (led by William Edis QC) in [Michalak v GMC](#) [2018] ICR 49. Appeared before the Court of Appeal and the Supreme Court (led by Joel Donovan QC) in [Mohamud v WM Morrison plc](#) [2016] AC 677.

"He's down-to-earth, really bright and very responsive." "He is incredibly knowledgeable, able to distil all relevant information swiftly and provides practical and pragmatic advice; he is a pleasure to work with." **Chambers & Partners 2021**

"Incredibly thorough, and deals calmly and sensitively with clients. He is a lateral thinker, and has the ability to digest all relevant facts and assess a

OVERVIEW

Adam Ohringer is an employment specialist, who still maintains a broader civil law practice. He represents claimants, respondents and Union clients at all levels.

In addition to his work in the employment tribunals, Adam is regularly involved in employment-related litigation in the High Court representing Claimants and Defendants in high value claims for breach of contract or restrictive covenants.

He also advises and represents professionals who are involved in disciplinary proceedings with their employer and/or professional regulatory body. This includes appeals to the High Court against decisions of professional bodies.

Adam is particularly known for his strategic approach to litigation as well as his ability to deal with 'difficult' witnesses.

He is frequently instructed on multi-day discrimination cases involving complex issues of fact and law. In recent years his clients have included:

Approximately a dozen NHS Trusts; HSBC Bank; Virgin Atlantic Airways; Johnson Matthey; Balfour Beatty; Barclays Bank; Royal Bank of Scotland; Aspen Health; Notting Hill Genesis; Mitie; Virgin Trains; GKN Aerospace; LB Lewisham; members of the University and Colleges Union, the National Association of Head Teachers, the Royal College of Nursing and the Independent Workers Union of Great Britain.

Pro bono

Adam is committed to the principle of representation for all. He undertakes work for law centres and the Bar Pro Bono Unit and regularly appears before the EAT under the ELAAS scheme.

Mediation

Adam is a Mediator accredited by the Civil Mediation Council. He can act as a mediator in all manner of disputes. He believes that mediation is a powerful yet under-utilised method for resolving disputes. It allows the parties to explore outcomes which would not be available to them through the courts and at a significantly lower cost.

REFERENCES

Chambers & Partners 2021: "He's down-to-earth, really bright and very responsive." "He is incredibly knowledgeable, able to distil all relevant information swiftly and provides practical and pragmatic advice; he is a pleasure to work with."

Legal 500 2021: "Incredibly thorough, and deals calmly and sensitively with clients. He is a lateral thinker, and has the ability to digest all relevant facts and assess a case's strengths and weaknesses at speed."

Legal 500 2020: "Integrity and commitment - Adam has these traits in spades."

Legal 500 2018: "He has integrity in spades and is a credit to the Bar."

Legal 500 2017: "His advocacy is of a very high standard."

Legal 500 2016: "Incredibly knowledgeable yet approachable."

APPOINTMENTS AND MEMBERSHIPS

Association of Regulatory & Disciplinary Lawyers

Employment Lawyers Association

Employment Law Bar Association

Industrial Law Society

PUBLICATIONS AND TRAINING

Seminar to the Institute of Directors on restrictive covenants (May 2021)

Seminar to [Addleshaw Goddard](#)
on ET practice (April 2020)

Seminar to the [Employment Law Advice Network](#)
(April 2020)

Seminar on fitness to practice proceedings with [Leigh Day](#)
(Jan 2020)

Seminar to the [Employment Law Group \(Scotland\)](#)
(Dec 2019)

Seminar at [Pinsent Mason](#)
on vicarious liability (June 2019)

Seminar at [DWF](#)
on tribunal litigation strategies (May 2019)

Lexis Nexis [Practice Note](#)
on Liability of employers for the acts of their employees and others

Seminar for Kent Accountancy on employment status (April 2019)

Seminar for [Rix & Kaye](#)
on TUPE (Feb 2019)

Analysis of unfair dismissal law for 'ELA Briefing' (May 2018)

Seminar for the [Nursing and Midwifery Council](#)
on disability discrimination (May 2018)

Seminar at [MBL](#)
- employment law update (Sept 2017)

Seminar at [Simons Muirhead & Burton](#)
on employment/ worker status (June 2017)

Seminar for [Dawson Hart](#)
on employment status (March 2017)

Seminar at [DWF](#)
on reasonable adjustments (July 2016)

'Paying for the mistakes of others: when businesses are liable for their workers' misconduct' in Company Secretary Review (2016, 39(26), 214-216)

Article on Mohamud v WM Morrison plc in the 'ELA Briefing' (April 2016)

Seminar on vicarious liability at Cloisters (March 2016)

Seminar on TUPE at [University and College Union](#)
(March 2016)

Disciplinary workshop at [Kennedys](#)
(Dec 2015)

'Holiday Pay - The reverberations continue' in Company Secretary Review
(2015, 39(2), 11-13)

Seminar at [LawNet](#)
on reasonable adjustments and whistleblowing (Oct 2015)

Seminar at [Shoosmiths](#)
on drafting tribunal pleadings (June 2015)

Discussion piece on appeals against professional disciplinary bodies in the 'ELA

Briefing' (May 2015)

Seminar at [Hart Brown](#)
on holiday pay (Jan 2015)

QUALIFICATIONS

University College London, LLB (Hons)

Inns of Court School of Law, Bar Vocational Course

Harmsworth Scholarship from Middle Temple

HIGHLIGHT CASES

[Brown v Veolia ES \(UK\) Ltd \(UKEAT/0041/20\)](#)

- Appeal against conclusion that dismissal was fair despite ET describing the dismissal process as a 'catalogue of ineptitude and misjudgment.'

[Phelan v Richardson Rogers Ltd \(UKEAT/0170/19\)](#)

- Whether the ET applied the correct legal principles when refusing to postpone a hearing when the claimant was unwell.

[Crew Employment Services Camelot v Gould \(UKEAT/0330/19\)](#)

- Consideration of territorial jurisdiction over employment claims brought by the captain of 'super yacht'.

[Flatman v Essex County Council \(UKEAT/009/20\)](#)

- Correct analysis to be conducted in determining whether there had been a constructive dismissal where it was alleged that the employer had breach the implied term to provide a safe working environment.

[Jones v BT Facility Services Ltd \(UKEAT/0237/19\)](#) - On the approach a tribunal must take when determining whether a dismissal was by reason of redundancy.

[Angard Staffing Solutions Ltd v Kocur](#) [2020] IRLR 732 - On the application of the Agency Worker Regulations 2010.

[Dewhurst v Revisecatch t/a Ecourier](#) (UKET/2201909/2018) - Landmark judgment confirming that 'limb (b) workers' are protected under the Transfer of Undertakings (Protection of Employment) Regulations 2006.

[General Medical Council v Michalak](#) [2017] ICR 49 - Led in the Supreme Court by William Edis QC of 1 Crown Office Row. The case concerns the correct jurisdiction for complaints of discrimination against qualification bodies.

[Wittenberg v Sunset Personnel Services Ltd](#) [2017] ICR 1012 - Territorial scope of the Employment Act 1996 and the Equality Act 2010.

[Nursing & Midwifery Council v G](#) - Represented a nurse accused of misconduct in the way he conducted a disciplinary hearing. All allegations were dismissed.

[Education and Workforce Council v Hungerford](#) - Represent a lecturer accused of hitting a student. Suspended for teaching for 4 months.

(<http://www.walesonline.co.uk/news/wales-news/dedicated-welsh-teacher-won-battle-12820833>)

(<http://www.bbc.co.uk/news/uk-wales-south-east-wales-39445730>)

[National College for Teaching & Leadership v Kathryn Bell](#) - Represented a headteacher accused of failing to safeguard a vulnerable child.

(<http://www.bbc.co.uk/news/uk-england-york-north-yorkshire-40173450>)

[Focus Care Agency Ltd v Roberts](#) [2017] ICR 1186 - On the application of the minimum wage to workers who are 'on call'.

[United Lincolnshire Hospitals NHS Foundation Trust v Farren](#) [2017] ICR 513 - Re-engagement of an unfairly dismissed employee where the employer claims to have lost trust in her.

[Adorn Spa Ltd v Amjad](#) [2017] EWHC 1313 (QB) - Application for interim injunction to enforce restrictive covenants in an employment contract

[Education and Workforce Council v Oakley](#) - Represent a lecturer who had a sexual relationship with a student. Suspended for teaching for 3 months.

(<http://www.dailymail.co.uk/news/article-3779668/Lecturer-38-secret-affair-pupil-18-banned-teaching-just-three-months-tribunal-heard-led-sex.html>)

[Mohamud v WM Morrison Supermarkets](#) [2016] AC 677- Supreme Court - Vicarious liability for assault of a customer.

[Butterworth v Police and Crime Commissioner's Office of Greater Manchester](#) [2016] ICR 456 - Considered when the prohibition on post-employment discrimination covers conduct by the employer's successor.

[Robinson v Royal Surrey County Hospital NHS Foundation Trust](#) (UKEAT/0311/15)

[Olsen v Gearbulk Service Ltd](#) [2015] IRLR 818 - On whether the tribunal had jurisdiction over a

claim against an employer in Bermuda.

Brown v Secretary of State for Education [2015] EWHC 643 (Admin) - Appeal against Prohibition Order imposed on a teacher. The Court gave guidance on the approach to be taken in such appeals.

[*Begraj v Secretary of State for Justice*](#) [2015] EWHC 250 (QB) - Claim under the Human Rights Act 1998 for compensation after lengthy employment tribunal proceedings were derailed by private meeting between the Employment Judge and police investigating one of the parties.

[*Davies v LB Haringey*](#) [2014] EWHC 3393 (QBD) - Whether a school teacher can be disciplined by the local authority as well as the school.

[*Ojikutu v LB Camden*](#) [2014] EWCA civ 978 - Whether the EAT should have exercised its discretion to receive an appeal out of time.

[*The Manchester College v Hazel & Huggins*](#) [2014] IRLR 392 - On ETO defences under the Transfer of Undertaking (Protection of Employment) Regulations 2006. This followed the Successful application for 'costs protection' for employees being forced to defend an appeal against the decision of the Employment Tribunal and Employment Appeal Tribunal [2013] IRLR 563 and an allegation of bias against the Employment Judge. [2013] EWCA civ 511.

[*Lockwood v Department of Work & Pensions*](#) [2014] ICR 1257 - Challenge to the Civil Service redundancy pay scheme on the grounds of age discrimination.

[*White & Todd v Troutbeck*](#) [2013] IRLR 286 - Whether a farm caretaker was an employee.

[*Francois v Castle Rock Properties Ltd \(t/a Electric Ballroom\)*](#) (EAT, 05.04.11) - Successful appeal against order of costs on account of conduct of lay representative.

[*Mehta v Child Support Agency*](#) [2011] IRLR 305 - Consideration of when witnesses should read their witness statements out aloud..

[*Enable Care & Home Support Ltd v. Pearson*](#) (EAT, 26.05.10) - Successful appeal against the judgment of the tribunal on the grounds that it had entered the 'substitution mindset' in an unfair dismissal case.

Ahunanya v. Scottish & Southern Energy (Court of Appeal, 16.02.10) - Permission to appeal granted by Maurice Kay LJ. Concerned the correct method for calculating the minimum wage as it applies to overtime worked by a salaried employee.

[*McDougall v Richmond Adult Education College*](#) [2008] ICR 431, Court of Appeal

[*Flett v Matheson*](#) [2005] ICR 1134

[*El-Hoshi v Pizza Express Ltd*](#) [2004] All ER (D) 295; IDS Brief 768

[*Elkoiul v Coney Island Ltd*](#) [2002] IRLR 174