

Consideration should have been given to part-time working as an alternative to dismissal

```
[et_pb_section bb_built="1" _builder_version="3.0.100"
background_image="http://davidk423.sg-host.com/wp-content/uploads/2017/09/bdbf_final-stages-1-4-1.jpg" custom_padding="|||"
saved_tabs="all" next_background_color="#ffffff"
global_module="2165"][et_pb_row global_parent="2165"
custom_padding="|||" _builder_version="3.0.100"][et_pb_column
type="2_3"][et_pb_post_title global_parent="2165" meta="off"
featured_image="off" text_color="light"
_builder_version="3.0.99" custom_margin="||0px|"
custom_padding="||0px|" /][et_pb_text global_parent="2165"
background_layout="dark" _builder_version="3.0.100"
text_font="|||||||" custom_margin="0px|||"
custom_padding="0px|||"] [post_details] [Social-Share]
[/et_pb_text][et_pb_column][et_pb_column
type="1_3"][et_pb_post_title global_parent="2165" title="off"
meta="off" _builder_version="3.0.99"
/][et_pb_column][et_pb_row][et_pb_section][et_pb_section
bb_built="1" admin_label="section"
prev_background_color="#000000"][et_pb_row admin_label="row"
background_position="top_left" background_repeat="repeat"
background_size="initial"][et_pb_column type="3_4"][et_pb_text
use_border_color="off" _builder_version="3.2.2"
text_orientation="justified"]
```

The EAT has provided a helpful reminder that employers should give proper consideration to all possible alternatives before dismissing an employee for long-term sickness absence. Otherwise, employers may find that the dismissal is not only unfair, but discriminatory.

The Claimant, Dr Ali, had been on long-term sick leave after suffering a heart attack and was regarded as disabled for the purposes of the Equality Act 2010. Medical evidence shared that Dr Ali could return to work on a part-time basis but confirmed that it was unlikely that he would ever be able to work full-time again. Dr Ali was dismissed for capability reasons after the other doctors at his practice failed to consider him returning to work on a part-time basis.

The EAT found for Dr Ali, because there had not been any consideration of the possibility of part-time working.

Ali v Torrosian and others (t/a Bedford Hill Family Practice)
UKEAT/0029/18

[/et_pb_text][et_pb_column
type="1_4"][et_pb_sidebar orientation="right" area="sidebar-1"
background_layout="light" remove_border="off" show_border="on"
/][et_pb_column][et_pb_row][et_pb_section]