

# Guide for Applicants

## Head of Legal

### Key dates for applicants:

Closing date: 2:00pm, Friday 3 January 2025.

Assessment and interviews are expected to take place late January 2025.



## Contents

Prior to completing the application form, we recommend that applicants familiarise themselves with the contents of this guide, which includes:

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# 1. Message from John French, Chief Executive

Dear Applicant,

Thank you for taking the time to read this Guide for Applicants. This is an exciting time to join us, as we are expanding as an organisation so that we can fully support Northern Ireland in meeting the challenges of climate change, the cost-of-living crisis and ensuring the continuity of energy and water supplies.

Electricity, gas and water are essential services that support all homes and businesses in Northern Ireland. As an economic regulator, it is our role to enable, incentivise and hold energy and water companies to account for providing the very best levels of service and price for consumers both now and in the future.

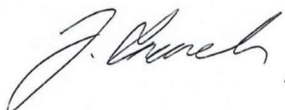
We are ambitious about the future of the Utility Regulator. It is essential that we can enthusiastically and professionally support Northern Ireland in its transition to a net-zero carbon economy, whilst ensuring affordable and good quality electricity, gas and water services for all.

We want the Utility Regulator to be the best possible organisation to work for. We need passionate people who have the skills, potential and motivation to make a difference to the lives of people in Northern Ireland and its economy. We are looking for people who share these goals and will pursue these with the highest standards of professionalism. For the Utility Regulator to be successful, we will recruit the best candidates from a range of diverse backgrounds. If you strive to provide the highest levels of service for the greater good and your professional values accord with our organisational values, working here will be exactly what you are looking for as the next step in your career path.

We are an employer of choice and are committed to staff wellbeing, inclusion and excellence. Over the last three years we have been awarded Best Companies 'Ones to Watch Good to Work For' status. We have also been successful in gaining the Investors in People Silver award, together with the Diversity Mark and Disability Confident: Committed accreditations.

As Head of Legal, you will be responsible for leading an effective, professional team of legal advisors providing high quality legal advice and support on areas of strategy, policy development, governance and compliance issues in relation to energy (electricity and gas) and water issues. In addition, you will play an active role in supporting the organisation as it supports government initiatives as part of the climate change transition as we look to protect consumers on the way to net zero.

This is a permanent, full-time role, although flexible working will be considered. Thank you for your interest in joining the Utility Regulator. We very much look forward to receiving your application.



**John French, Chief Executive**

## 2. About the Utility Regulator

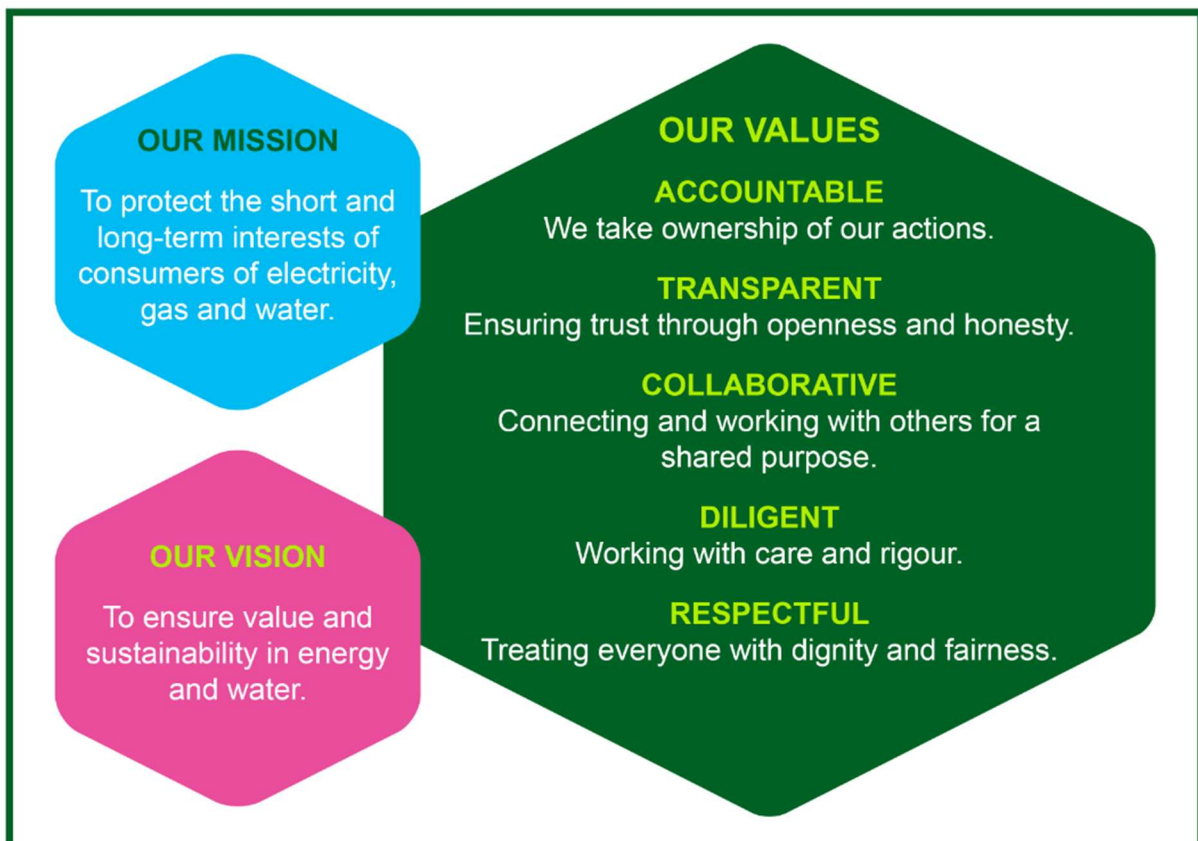
The Utility Regulator (UR/our/we) is the independent non-ministerial government department responsible for regulating Northern Ireland’s electricity, gas, water and sewerage industries, to promote the short and long-term interests of consumers.

We are not a policy-making department of government, but we make sure that the energy and water utility industries in Northern Ireland are regulated and developed within ministerial policy as set out in our statutory duties.

We are governed by a Board of Directors and are accountable to the Northern Ireland Assembly through financial and annual reporting obligations.

We are based at Queens House in the centre of Belfast. The Chief Executive and two Executive Directors lead teams in each of the main functional areas in the organisation: CEO Office; Price Controls; Networks and Energy Futures; and Markets and Consumer Protection. The staff team includes economists, engineers, accountants, utility specialists, legal advisors and administration professionals.

### Our mission, vision and values



## Our diversity statement

### Be UR Self

We recognise and value that everyone is unique and that we all have different minds. We want to celebrate your difference so that we can harness your unique talent. To that end, we are a diverse and inclusive organisation as we put the 'you are' into 'UR'. Our success is based on the diversity and uniqueness that each of us brings and on the willingness of staff to accept and value one another. This approach helps us protect consumers by making a positive difference to all households and businesses in Northern Ireland.

### Equality welcoming statement

Northern Ireland continues to have an under-representation of women across STEM (Science, Technology, Engineering and Mathematics) industries. We are an equal opportunities and 'Disability Confident' employer. As people with a disability, people from ethnic minority communities and women are currently under-represented in our workforce, we would welcome applications from these groups.

### What we do

Our statutory objectives are to:

- Protect the short and long-term interests of electricity, gas, water and sewerage consumers with regard to price and quality of service;
- Promote a robust and efficient water and sewerage industry, where appropriate, to deliver high quality services;
- Promote competition, where appropriate, in the generation, transmission and supply of electricity; and
- Promote the development and maintenance of an economic and coordinated natural gas industry.

Our work involves:

- Issuing and maintaining licences for gas, electricity, and water companies to operate in Northern Ireland;
- Making sure that these companies meet relevant legislation and licence obligations;
- Challenging these companies to keep the prices they charge as low as they can be;
- Encouraging regulated companies to be more efficient and responsive to customers;
- Working to encourage competition in the gas, electricity, water, and sewerage services markets;
- Setting the standards of service which regulated companies provide to customers in Northern Ireland; and
- Acting as an adjudicator on certain customer complaints, disputes, and appeals.

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We hold concurrent competition law powers and are Northern Ireland's competition authority for its electricity, gas, water and sewerage industries. We have quasi-judicial powers to determine certain complaints, disputes and appeals.

In order to help us protect the interests of electricity, gas and water consumers in Northern Ireland, we work with a range of partner organisations. These include:

- Northern Ireland Executive and Assembly;
- Northern Ireland government departments;
- Energy and water utility companies;
- The Consumer Council for Northern Ireland;
- Government departments and bodies in Great Britain and Ireland, including Ofgem, Ofwat, the Water Industry Commission for Scotland and the Commission for Regulation of Utilities; and
- Non-governmental organisations.

### 3. About the role

<b>Role:</b>	Head of Legal
<b>Directorate:</b>	Chief Executive Office
<b>Line manager:</b>	Chief Executive

#### Terms and conditions:

<b>Contract:</b>	Permanent. Flexible working arrangements will be considered.
<b>Hours:</b>	37 hours per week.
<b>Salary:</b>	Circa £85,337 to £97,853 per annum
<b>Pension:</b>	Northern Ireland Civil Service (NICS) pension arrangements.
<b>Holidays:</b>	25 days per annum (rising to 30 days after two years), and an additional 12 public and privilege days.

**We may create a reserve list from this competition to fill any additional suitable similar roles.**

#### Role purpose

Working as the Head of Legal within the Utility Regulator, you will support the Chief Executive, Board and Senior Leadership Team of the Utility Regulator. You will be responsible for leading an effective, professional team of legal advisors providing high quality legal advice and support to the Utility Regulator on areas of strategy, policy development, governance and compliance issues.

You will have the opportunity to work across a variety of functions, leading and maintaining professional engagement with key external and internal partners for the Utility Regulator's regulatory, investigatory, and enforcement work and actively contribute to the delivery of our aims and objectives.

This role is ideally suited for someone with a background in energy, regulatory law or public, administrative law; and with experience of management of regulatory procedures and practices and delivering and directing complex case work or litigation. We welcome applications from candidates with excellent communication skills and the ability to build and maintain open and positive stakeholder relationships at all levels.

#### Key responsibilities

- To support the Chief Executive, Board and Senior Leadership Team of the Utility Regulator.
- To lead and maintain professional legal engagement with key external and internal partners for the Utility Regulator's regulatory, investigatory, and enforcement work.
- To lead an effective, professional team of legal advisors providing high quality legal advice and support to the Utility Regulator on areas of strategy, policy development, governance and compliance issues.

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- Provide advice on the statutory framework governing the SRA and its functions. Provide sound advice on governance and compliance issues.
- Draft and support the drafting of high quality papers for Board and committee purposes.
- To be accountable for a wide range of regulatory outcomes across the Utility Regulator's operational areas.
- To be an able and accessible mentor and manager to colleagues within your team, committed to developing a talented cohort of staff, embedding the highest level of capabilities and expectations, and fostering a culture of inclusion and equal opportunity for all.
- To play a pivotal role in achieving the Utility Regulator's statutory aims, and strategic mission, by bringing leadership and vision to the legal affairs team, setting the strategy and ensuring the delivery of high quality legal advice and robust analysis across the Utility Regulator's legal work, working closely and collaboratively with relevant teams across the organisation.
- To engage with internal and external stakeholders, working effectively and efficiently to deliver high impact outcomes.
- To provide written or verbal briefings on legal issues to senior colleagues, Board and its sub-committees.
- To plan, oversee and deliver a set of work deliverables on time and to a high standard through effective project management (PRINCE2 Standard) and support of the overall organisation.
- To provide inclusive team leadership by supporting and developing team members and demonstrating commitment to the Utility Regulator's values.
- To provide the effective management of the Legal Affairs Team in supporting the Chief Executive and Board, and to help team members deliver by building supportive, inclusive team environment based on trust-based relationships, transparency, professionalism, and inclusivity.
- To assist in strengthening the profile, reputation and relevancy of the Utility Regulator to staff, consumers, stakeholders and industry.
- To promote a culture of professionalism, openness, inclusiveness and transparency across all aspects of the Utility Regulator's operational activity and service delivery.



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**This list is not exhaustive and will change over time according to organisational need. The successful candidate will be required to carry out other duties as allocated by management.**

Our statutory remit and organisational structure are continuing to evolve. It is therefore quite possible that the scope of the advertised role will evolve with consequential changes to the job description.

## 4. Selection criteria

This role is well suited to persons with excellent knowledge of technical law and the ability to assimilate complex technical information articulate management approach; and the ability to build and maintain positive and trust-based working relationships internally and externally. Successful candidates should have a proactive, collaborative and flexible attitude, and be unfazed by operating in a fast-changing environment.

### Essential criteria (for all candidates)

Please note that you will be required to **demonstrate fully** the following essential criteria (1-7) on the **application form** to be shortlisted for the next stage of the process.

1. Solicitor or barrister\* with a valid practicing certificate covering practice in Northern Ireland and issued by the appropriate regulatory authority (or will hold one at the date of appointment).
2. At least eight years post qualification experience gained working in energy/regulatory law; and/or public/administrative law.
3. At least five years demonstrable experience of management of regulatory procedures and practices and delivering and directing complex case work or litigation.
4. Experience of leading teams of high-performing lawyers or senior legal advisors/caseworkers and providing robust and constructive quality assurance.
5. Experience of explaining complex legal or technical issues clearly and providing high quality, strategic and impartial legal advice that resolve business problems at a senior\*\* level.
6. Demonstrable experience of building highly effective relationships and working constructively with internal and external key stakeholders at a senior\*\* level to command confidence, respect and ensure robust and successful legal outcomes.
7. Ability to positively demonstrate, by examples, an understanding of, and commitment to leading workplace values that align to those of the Utility Regulator (our mission, vision and values can be found on page 4 of this pack).

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**Note:** \*Qualified to practice in Northern Ireland or England and Wales. Republic of Ireland or other common law jurisdictions may be considered. An overseas qualification is only acceptable if it is fully comparable and equivalent to the UK counterpart. You will be required to present original certificates/documentation if you are invited to the next stage of the selection process.

\*\*Senior level is defined as reporting to or advising Board Members or Senior Leaders.

### Desirable criteria

In the event of a large number of applicants, the following desirable criteria will be used as further shortlisting criteria. This criterion **should be demonstrated on the application form** and may be tested further at the interview stages.

1. Knowledge or experience of European Union law.
2. Knowledge or experience of commercial law.

### Key skills and competencies

In addition to satisfying the above essential criteria, **applicants will be expected to display the following competencies and skills at interview and assessment stages.**

<b>Professional knowledge/skills</b>	<ul style="list-style-type: none"> <li>• Decision making in a regulatory environment including high profile and sensitive matters.</li> <li>• Excellent legal drafting skills and attention to detail.</li> <li>• Excellent knowledge of technical law and the ability to assimilate complex technical information.</li> <li>• Ability to articulate management approach to issues and evaluate alternative approaches.</li> <li>• Strong oral and written communication skills with the ability to analyse and explain complex legal issues and policy clearly, to legal and non-legal audiences.</li> <li>• Ability to articulate management approach and evaluate alternative approaches.</li> </ul>
<b>Analytical rigour</b>	<ul style="list-style-type: none"> <li>• Ability to assimilate a wide body of case law, regime experience and wider policy.</li> <li>• High level of attention to detail and accuracy.</li> <li>• Ability to analyse complex strategic issues.</li> <li>• Ability use complex analysis to resolve problems.</li> <li>• Ability to make sound judgements, taking into account all relevant legal, financial and economic factors.</li> </ul>
<b>Governance</b>	<ul style="list-style-type: none"> <li>• Budget, project management and contract management skills.</li> <li>• Ability to apply best practice and work within policy, governance appropriate guidelines and legal requirements.</li> </ul>

	<ul style="list-style-type: none"> <li>• Ability to demonstrate strong alignment to corporate goals and messages.</li> </ul>
People	<ul style="list-style-type: none"> <li>• Ability to lead, motivate and forge effective relationships at all levels internally, externally and cross functionality.</li> <li>• Ability to lead and manage people, motivating them to develop and deliver high quality outcomes.</li> <li>• Excellent interpersonal skills and the ability to work collaboratively with colleagues and external stakeholders as part of a wider team.</li> <li>• Ability to make a positive contribution to the Utility Regulator's culture, role modelling its values, behaviours and developing a culture of continuous improvement.</li> <li>• Ability to lead by example by demonstrating fairness, focus on the public interest and a high level of legal and technical expertise.</li> <li>• Ability to manage talented professional staff.</li> <li>• Strong leadership skills which provide direction and focus for your team and motivate them to achieve results.</li> </ul>
Relationship management	<ul style="list-style-type: none"> <li>• Uses sound judgment, requiring the need to balance competing interests and sensitive issues.</li> <li>• High level of negotiation and influencing skills</li> <li>• Ability to build positive and trusted relationships with a wide variety of colleagues and external stakeholders.</li> <li>• Ability to positively challenge colleagues and stakeholders at all levels.</li> <li>• Ability to work collaboratively and deliver in partnership.</li> <li>• Ability to present succinctly and convincingly to senior staff.</li> <li>• Ability to communicate effectively with industry, business, consumers, representatives and the public sector.</li> <li>• Ability to conduct negotiations to optimise desired outcomes while safeguarding working relationships.</li> </ul>
Strategic thinking and delivery	<ul style="list-style-type: none"> <li>• High degree of strategic insight and expertise on the key issues of regulatory, competition, consumer law.</li> <li>• Ability to horizon scan and plan strategically.</li> <li>• Intellectual ability to assess strategy effectively, ability to think creatively, to innovate and to resolve problems.</li> <li>• Ability to take lead on workstreams and drive forward to conclusion.</li> <li>• Ability to think creatively, to innovate and resolve problems.</li> </ul>
Managing resources	<ul style="list-style-type: none"> <li>• Lead, drive and deliver a substantial workload under tight deadlines, and whilst under competing pressures.</li> <li>• Demonstrable experience managing financial resources, tracking budgets, etc.</li> <li>• Demonstrable experience designing or procuring consultancy or research support, including awareness of good practice in managing outside resources.</li> </ul>

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	<ul style="list-style-type: none"><li>• Strong leadership skills with the ability to provide direction and focus for team members as well as motivating the team to achieve results.</li><li>• Strong organisational and planning skills.</li></ul>
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### Competency Framework

You may wish to consider the Utility Regulator's Competency Framework when completing your application. A copy can be downloaded alongside this recruitment pack.

## 5. The recruitment and selection process

### How to apply

Completed application forms must be received by **2:00pm, Friday 3 January 2025**.

Please submit your application by email, in **MS Word** format. A typed or scanned signature will be accepted. Please submit your completed equal opportunities monitoring form in a separate email labelled clearly 'Monitoring Form' in the subject line.

**The onus is on you to ensure your application is received before the closing date. We will use the time it is received according to our computer systems, not the time sent from your email account.**

Applications and queries must be emailed to [recruitment@uregni.gov.uk](mailto:recruitment@uregni.gov.uk).

If you have a disability and require assistance, we will facilitate this on request. If you wish to receive this information pack in an accessible format, please advise of your requirements as soon as possible as the closing date is the same for all applicants.

### Monitoring Form

We monitor applications for employment in terms of community background, sex, disability and race. You should note that this information is regarded as part of your application and failure fully to complete and return it will result in disqualification.

The use and confidentiality of community background information is protected by the Fair Employment and Treatment (Northern Ireland) Order 1998. It will be used only for monitoring, investigations or proceedings under the requirements of the above legislation.

We are committed to equality of opportunity and welcome applications from all suitably qualified applicants irrespective of age, sexual orientation, marital status/civil partnership, dependants, religious belief, political opinion, gender reassignment, race, sex or disability.

### Job applicant's privacy notice

We are the data controller for the personal information you provide as an individual seeking employment. This means we determine the purposes for which, and the manner in which, any personal information relating to your application and the recruitment procedure generally is processed. We are required under the General Data Protection Regulation (GDPR) to notify you of the information contained in our Job Applicant's Privacy Notice. This notice describes how we collect and use personal information during the recruitment process and afterwards in accordance with GDPR and can be downloaded, in full, from [www.uregni.gov.uk/publications/gdpr-privacy-notices](http://www.uregni.gov.uk/publications/gdpr-privacy-notices).

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## Applications

In order to help you make this application and ensure that each applicant is provided with the same opportunity, the following advice is offered:

- Do not use acronyms, complex technical detail, etc. Write for the reader who will probably not know your employer or your job. Include concise examples and be sure you can expand on these at interview.
- Listing the titles of the various jobs which you have held will not show how you meet the criteria. The panel will not make assumptions about skills and experience gained from these or the nature/name of the organisation.
- Write down clearly your personal involvement in any experience you quote. Write 'I' statements, for example, I planned meetings, I managed a budget, I prepared a presentation. It is how you actually carried out the piece of work that the panel will be interested in.
- Identify relevant examples – this is very important as examples you provide may be checked out at interview and you need to be prepared to talk about them in detail if invited to interview. It is your unique role the panel is interested in, not your team's.

An application form is designed to ensure you provide the necessary information to determine how you meet the eligibility/short listing criteria required for this post. The panel may decide to interview only those applicants who appear, from the information provided on your application, to be most suitable in terms of relevant experience and ability.

Please note to ensure equality of opportunity for all applicants:

- On the application form you have been advised of the maximum space available for each question. This is the same for all applicants and must not be altered (except to delete spaces created when you type in your answer);
- CVs, letters, additional pages or any other supplementary material in place of, or in addition to, completed application forms will not be accepted;
- Information in support of your application will not be accepted after the closing deadline. Incomplete application forms will not be considered. Application forms received after the closing deadline or reformatted will not be accepted;
- Please note that the time of receipt of emailed applications will be defined by our computer systems, not the time and date sent; and
- Only details provided by you on your application form (employment history and eligibility criteria) will be provided to the selection panel for the purpose of determining eligibility and shortlisting for the post.

## Assessing your application

After the closing date, the first stage in the selection process will be a sift of completed application forms against the essential criteria. You must demonstrate on the relevant page of the application form how you meet each criteria stated. If you do not fully demonstrate by example how you meet each of the criteria, you will not progress to the next stage. Please note, where the criteria requires experience for a minimum length of time, the panel will not refer to the employment history section to demonstrate this. You must state the dates in your answer.

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You will be notified of the outcome (successful/unsuccessful) by email.

### Assessment and Interview

Following shortlisting, it is intended that the selection process will involve an assessment and interview against **the criteria, key skills and competencies** for the role. Panels may test any aspect of either the essential, desirable criteria or key skills.

Additional selection stages may be needed. We intend that the assessment and interview process will take place at Queens House in Belfast. You will be informed of assessment and interview arrangements closer to the time and notified of the outcome (successful or unsuccessful) by email.

### Disability requirements at interview

We ask on this application form if you require any reasonable adjustments (special requirements), due to disability, to enable you to attend interview. Details of any disability are only used for this purpose and do not form any part of the selection process.

If you have indicated that you have a disability and are successful in the selection process and being considered for appointment, you may be required to outline any adjustments you consider needed to take up an appointment. If you wish to discuss your disability requirements further, please email [recruitment@uregni.gov.uk](mailto:recruitment@uregni.gov.uk).

### Further information

Further information about the work of the Utility Regulator can be found at [www.uregni.gov.uk](http://www.uregni.gov.uk).

Should you have any further queries about the recruitment and selection process then please email [recruitment@uregni.gov.uk](mailto:recruitment@uregni.gov.uk).

### Checklist for applicants

- Application Form (emailed by closing date).
- Equality Monitoring Form (emailed in a separate email).

## 6. Benefits of working for us

These headline terms will be included (amongst others) in a written contract of employment.

### Key employee benefits

#### Your salary

The starting base salary will be in the range of circa £85,337 to £97,853 per annum. You will be paid monthly in arrears via Bankers Automated Clearing Service (BACS).

#### Your pension

If you are successful, you will be employed as a civil servant and, as such, automatically enrolled into the NICS pension arrangements. **Employer's contribution for this salary range is 34.25%**. This is a generous, defined benefit pension scheme. Information about pensions can be found at [www.finance-ni.gov.uk/topics/working-northern-ireland-civil-service/civil-service-pensions-ni](http://www.finance-ni.gov.uk/topics/working-northern-ireland-civil-service/civil-service-pensions-ni)

#### Your holiday entitlement

Holiday entitlement will be pro-rated based on **25 days per annum (increasing to 30 days after two years continuous service) and 12 public and privilege holidays**. If, in your current role, you have already attained 30 days leave by dint of service with the Northern Ireland or Great Britain Civil Service, your entitlement will be 30 days from your start date (pro-rated).

#### Non-salary benefits

We offer a range of non-salary benefits including a supportive family friendly environment, flexible working in a hybrid setting, generous leave including special leave, maternity/paternity entitlement, wellbeing and employee programme (Inspire), supported learning and development, Cycle to Work Scheme, season ticket loan, payroll giving, volunteering opportunities and a culture that supports diversity and inclusion.

#### Hours of work

**This is a full-time appointment, however, flexible working arrangements will be considered.** Our offices are open for business between 7am and 7pm (Monday to Friday). Due to the nature of your position, you may be required to work such additional hours, over and above your standard hours, (37 hours excluding meal breaks) as necessary for the proper fulfilment of your duties for which no additional payment will be made.

#### Place of work

If appointed, you will be our employee and based at Queens House, Queen Street, Belfast. We operate a hybrid working pattern, which is an average of 40% of all staff working hours to be in person with colleagues, either on-site at Queens House or on official business. This hybrid working pattern is subject to business need. The home working element of hybrid working is voluntary and while you may opt to be office based, we welcome applicants whose circumstances lend themselves to a degree of remote working.



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### Mobility

Excluding secondment opportunities, employment does not confer any right of mobility or transfer to a position in any other part of NICS (including any government department or agency) or to any non-departmental public body or other public body.

### Probationary period

There will be a probationary period of six months and continued employment is dependent on the outcome of this. During the probationary period, your performance will be regularly monitored and we reserve the right to extend it for such further period or periods as considered reasonably necessary to assess your performance further.

### Additional information

If you are being considered for appointment, we will ask you to complete the AccessNI application form for a **basic disclosure certificate**. Full details will be provided with an offer of employment. Instructions can be found at [www.nidirect.gov.uk/accessni](http://www.nidirect.gov.uk/accessni).

You should not be put off applying because you have a conviction. We deal with all criminal record information in a confidential manner and information relating to convictions is destroyed after a decision is made. Criminal record information is subject to the provisions of the Rehabilitation of Offenders (NI) Order 1978.

As a Utility Regulator employee, you will be subject to various office policies, for example, rules on shareholdings, conflicts of interest and future appointments.

### Proof of Right to Work in the UK and visa conditions

As part of our pre-employment checks, we are required by law to verify your right to work in the United Kingdom. The following conditions related to any future offer or employment with the Utility Regulator are detailed below.

You must provide satisfactory evidence of your right to work in the United Kingdom prior to commencing employment. Acceptable documents include, but are not limited to:

- A valid passport.
- National identity card or Home Office registration certificate.
- United Kingdom Border Agency work document if you need permission to work.

Employers can face unlimited fines if they employ illegal workers and need to make sure that no one they employ is working in the United Kingdom illegally. However, to protect themselves against discrimination laws they should treat all job applicants equally. So don't be offended if you're asked to prove your nationality, as all those who are made an offer of employment will be asked to provide proof of right to work. Please refer to the Home Office guidelines for a complete list of acceptable documents.

If your right to work in the United Kingdom is based on a visa or work permit, any future offer of employment is conditional upon:

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- You providing a copy of your valid visa or work permit.
- The duration of which your visa or work permit covers.
- You maintaining your right to work status throughout your employment.

For further support on working in Northern Ireland, please visit [www.nidirect.gov.uk/articles/working-northern-ireland](http://www.nidirect.gov.uk/articles/working-northern-ireland) or [www.gov.uk/browse/visas-immigration/what-you-need-to-do](http://www.gov.uk/browse/visas-immigration/what-you-need-to-do)

**Please note that, if your application is shortlisted for interview, you will be asked to provide one of the above documents. Should you fail to do so, you may not be eligible to proceed. The successful candidate will be required to produce the same document in its original format before commencing employment.**