

April 2012



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 your legal and contractual
 responsibilities as an employer?
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Employment Law Update April 2012

As well as the normal expected yearly increases to statutory maternity, paternity, adoption and sick pay, there are also some radical employment tribunal changes this month;

Statutory Maternity, Paternity and Adoption Pay increases;

On 1 April 2012, the standard rate of statutory maternity, paternity and adoption pay increased from £128.73 to £135.45 per week.

Statutory Sick Pay;

On 6 April 2012 the standard rate of statutory sick pay increased from £81.60 to £85.85 per week.

Employment Tribunal Changes;

Also on 6 April 2012 a number of changes to employment tribunals took place;

- The qualifying period for making a claim for unfair dismissal to an employment tribunal increased from one year to two years for employees who commenced their employment on or after 6 April 2012.
- Employment judges will now hear some unfair dismissal claims alone in both employment and employment appeal tribunals unless they direct otherwise. Examples of claims heard alone will include claims relating to breach of contract, holiday pay and redundancy pay. Most other claims will continue to be heard by a panel of three members: an employment judge and two non-legally-qualified members.
- Deposit orders (which a tribunal may order a party to pay as a condition to continue with tribunal proceedings) will increase from £500 to £1,000.
- The maximum amount of a 'costs order', which a tribunal may award in favour of a legally represented party, will increase from £10,000 to £20,000.
- For claims submitted on or after 6 April, witness statements will be "taken as read", unless the tribunal orders otherwise. This means that the witness does not have to read the full statement aloud at the hearing before cross-examination by the other party. However a tribunal may still, in complex cases, require a witness to read their statement which will help in assessing the credibility of the witness.
- Tribunals will also have the power to direct that the parties to a dispute are responsible for paying witness' expenses and that the unsuccessful party should reimburse the successful party for any such costs which have already been paid.

For clarification of any of the above updates or for advice and guidance on any HR and/or Health and Safety Concerns contact us by emailing ehedley@hasslefreehr.co.uk or by calling 02476 664092.

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