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Human Resources & Health and Safety

March 2011



Do you employ staff?

Do you have difficulty understanding
your legal and contractual
responsibilities as an employer?

Do employment problems keep you
awake at night?

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HR Update

Have your say ...

Resolving Workplace Disputes - Public Consultation

This public consultation is the government's first step in reviewing employment law in the UK. The consultation opened on 27 January and will close on 20 April 2011.

Information about the consultation can be downloaded
from www.bis.gov.uk/Consultations/resolving-workplace-disputes

You can have your say by completing an on-line response form through 'survey monkey'; <http://tinyurl.com/34u7rr5>

The purpose of the consultation is to seek views on measures which will:

- achieve earlier resolution of workplace disputes so that employers and employees can resolve their problems, in a fair and equitable way, without having to go to an employment tribunal
- ensure that, where employers and employees do attend an employment tribunal, the process is as swift, user-friendly and effective as possible, and
- help businesses and social enterprises to feel more confident about recruiting people

In summary, the consultation focuses on;

- Resolving disputes in the workplace; mediation, compromise agreements and early conciliation
- Modernising tribunals; tackling weaker cases, encouraging settlements, shortening tribunal hearings and maximising proportionality
- Resourcing the system effectively
- Businesses taking on staff and meeting obligations

If you have views about how the current system for resolving workplace disputes could be improved upon then take the opportunity to have your say!

Employment Law Update

Increases to Statutory Compensation Limits and Payments Rate

From 1 February 2011 the following increases were applied to employment tribunal awards;

- a 'weeks pay' increased from £380 per week to £400 per week
- maximum compensatory award for unfair dismissal increased from £65,300 to £68,400
- guaranteed pay increased from £21.20 a day to £22.20 a day

From April 2011 the following increases will apply to statutory payment rates;

- Statutory Maternity Pay (SMP), Statutory Paternity Pay (SPP) and Statutory Adoption Pay (SAP) rates will increase from £124.88 to £128.73
- Statutory Sick Pay (SSP) will increase from £79.15 to £81.60.
- The weekly lower earnings limit (LEL) for SMP, SPP and SAP payments will also increase from £97 to £102.

Flexible Working

The Flexible Working (Eligibility, Complaints and Remedies) (Amendment) Regulations 2010 come into force on 6 April 2011 with the child age limit rising from 17 to 18. The right to request flexible working may be extended to ALL employees in the future.

The Equality Act

Commencement Order No.5 brings into effect on 6 April 2011 the section dealing with 'positive action' in recruitment and promotion.

Additional Paternity Leave

The Additional Paternity leave Regulations 2010 will apply to parents of babies born on or after 3 April 2011.

Public Holidays

On 23 November 2010 it was announced that there would be a one-off public holiday on 29 April 2011 in the UK to mark the wedding of Prince William and Kate Middleton on that day.

Retirement

The Employment Equality (Repeal of Retirement Age Provisions) Regulations 2011 (Draft) were laid before Parliament on 16 February 2011 for approval. They make it unlawful to dismiss someone on grounds of age unless there is objective justification and will take effect on 6 April 2011, subject to transitional provisions.

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 670381 or 07817880943.

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