



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?

## Hassle Free HR - Taking the hassle out of your HR and H&S Management

■ Visit our website

## Employment Law

### Recent Developments;

#### October 2011

### Agency Workers Regulations 2010

Agency Worker Regulations came into force on 1 October 2011. They can be categorised into Day One and Week Twelve Rights.

#### Day One Rights

Agency Workers are required to have access to:

Collective facilities which may include;

- Canteen
- Workplace creche
- Transportation to and from work
- Staff room
- Prayer room
- Car park

They should also receive;

- Information about any relevant vacancies
- Risk assessments and reasonable adjustments for pregnant agency workers

#### Week Twelve Rights

Equal treatment in relation to the following;

- Pay including over-time, shift allowances, unsociable hours premiums/bonuses, fee commission payments and performance related bonuses
- Duration of working time

- Night work
- Rest periods
- Rest breaks
- Annual leave
- Right to request information about the above in relation to actual 'employees'

Agency workers are also entitled to enhanced Maternity Rights which include;

- Paid time off to attend antenatal appointments after the 12 week qualifying period
- Risk assessment with reasonable adjustments where necessary (as stated above)
- Where risk is identified and reasonable adjustment cannot be made, the 'agency' must find the agency worker a suitable alternative assignment
- Where a suitable alternative assignment cannot be found, the agency will be required to pay the agency worker for the remainder of the assignment or predicted length of the assignment.

For further information visit [www.acas.org.uk/index.aspx?articleid=1873](http://www.acas.org.uk/index.aspx?articleid=1873)

## Employment Tribunal Reform

In October 2011 the Chancellor announced at the Conservative Party conference that the qualifying period for employees to be able to bring a claim for unfair dismissal would be increased from one to two years. A BIS press release confirmed that the change would come into force on 6 April 2012. The Chancellor also announced that fees would be introduced for employment tribunal claims.

The announcement followed the Employment Tribunal Reform consultation, which ran from January 2011 until 20 April 2011.

## National Minimum Wage Increase

On 1 October 2011 the national minimum wage increased as follows;

- Main rate rose from £5.93 to £6.08 per hour
- Youth rate increased from £4.92 to £4.98 per hour
- Rate for workers aged 16 to 17 from £3.64 to £3.68 per hour
- Apprentice rate from £2.50 to £2.60 per hour.

## November 2011

### National Health Service Pension Scheme, Injury Benefits and Additional Voluntary Contributions (Amendment) Regulations 2011.

These regulations come into force on 28 November 2011. They amend various statutory instruments relating to the pensions and benefits of NHS employees. The main changes relate to the governance and record keeping arrangements for dentists' pensions.

## Other news ....

### Claire McDonald joins our team

On 31 October 2011 Claire McDonald joined Hassle Free HR Limited as HR and Marketing Assistant. Claire is a chartered marketer with fifteen years marketing and customer service experience within the public and private sector and comes on board to provide day to day support to the business to ensure the effective delivery of general HR advice and guidance and implementation of the marketing strategy. In her spare time she enjoys Zumba, cooking and eating good food with friends and family.

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 [cmcdonald@hasslefreehr.co.uk](mailto:cmcdonald@hasslefreehr.co.uk) or by calling 02476 664092 or 670381.

Hassle Free HR Limited Registration Number: 5844301