



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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Employment Law Update

October 2015

National Minimum Wage

The annual increase to the NMW will apply from 1st October 2015, and are as follows:

- £3.30 an hour for apprentices under 19 years of age or aged 19 and over who are in their first year of the apprenticeship
- £3.87 an hour for employees aged 16-17 years old
- £5.50 an hour for employees aged 18-20 years old
- £6.70 an hour for employees aged 21 and over.

The Deregulation Act 2015/994

As of the 1st October 2015, the Deregulation Act will affect an Employment Tribunal's ability to make recommendations in discrimination cases. The Equality Act 2010 previously allowed an Employment Tribunal to make a non-compulsory recommendation to an employer in a discrimination case even if the recommendation would not benefit the claimant. For example, it is often the case that by the time a case of discrimination has reached an Employment Tribunal, the claimant has already left the company and will not benefit from any suggested improvements to the company. Despite this, an Employment Tribunal still had the ability to recommend a change that would prevent this situation from arising again with another employee i.e. sensitivity training, performing an equal opportunities pay audit, or management training on the subject of disabilities.

As of 1st October 2015, Employment Tribunals will no longer have the ability to make a recommendation that will not have a direct effect on the person who has raised the claim, meaning that these suggestions will no longer be possible unless the claimant is still employed by the respondent.

Amendments to the Employment Act 1989

The Employment Act 1989 exempt a turban-wearing Sikh from any requirement to wear head protection whilst working on a construction site. As of 1st October 2015 the Deregulation Act 2015 is making amendments to the Employment Act 1989 which extends this rule. This amendment will mean that turban-wearing Sikh's will be exempt from wearing any form of head protection in the workplace. This ruling has been introduced in an attempt to find the middle ground between Health and Safety and the respect of a person's religious beliefs and rules. There will be some limited occasions where it will still be acceptable to ask a turban-wearing Sikh to wear a form of head protective gear e.g. in the armed forces.

How Can We Help?

If you have any queries relating to any of the subjects raised within this newsletter then please don't hesitate to contact us at hradvice@hasslefreehr.co.uk

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 hradvice@hasslefreehr.co.uk or by calling 02476 664092.

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