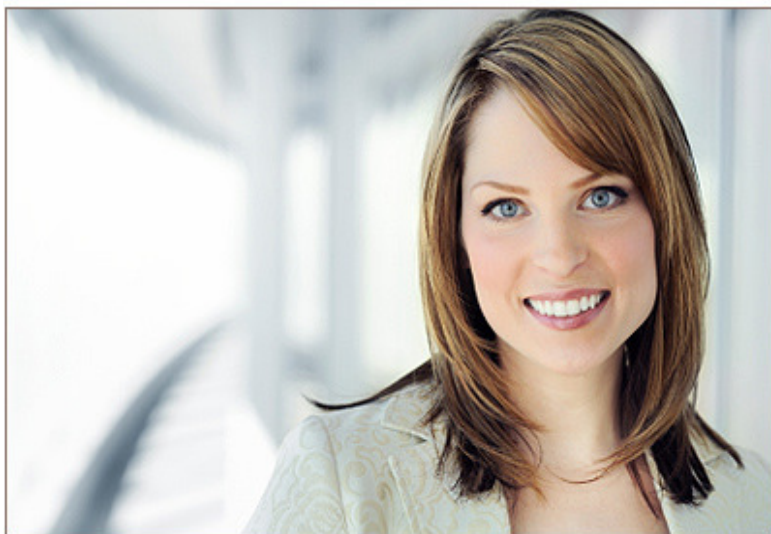


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Do you employ staff?

Employment Law Update

26th May 2015

On this date changes were made to the Small Business, Enterprise and Employment Act 2015 (Commencement No.1) Regulations 2015, to increase the penalty imposed on employers who fail to pay their employees the National Minimum Wage. Previously the maximum penalty was £20,000 for each notice of underpayment, but now the penalty will be a maximum of £20,000 per worker. The employer will be required to pay affected employees any unpaid wages, plus a penalty calculated as 100% of the total underpayment to all workers who are specified in the notice of underpayment issued to the employer by HM Revenue and Customs, subject to a minimum of £100 and a maximum of £20,000.

Another change to the Small Business, Enterprise and Employment Act 2015 (Commencement No.1) Regulations 2015, implemented on this date is the ban of exclusivity clauses in zero hour contracts. This means that an employer can no longer forbid an employee on a zero hour contract to seek another source of employment whilst they are not being provided with work.

1st July 2015

In the last months of 2014 it was declared that in some instances employees may be due unpaid holiday pay from regular overtime hours. There was some concern over how far this could be backdated, but as of 1st July 2015 it has been stated in the Deduction from Wages (Limitation) Regulations 2014 that claims are limited to a period of two years prior to the presentation of a claim to an employment tribunal. In addition to this ruling, a further amendment has been made to the Working Time Regulations 1998 to prevent an employee being able to claim unpaid holiday as a breach of contract, this type of claim could previously be backdated for up to six years, but this has now been prevented.

How Can We Help?

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