



This Week in Employment Law

Paternity leave to become more flexible

The Paternity Leave (Amendment) Regulations 2024 have been laid before Parliament for consideration and, if approved, the existing legislation will change to increase flexibility for working fathers and partners.

- Currently, eligible employees are entitled to take paternity leave in a single block of one or two weeks, and if they only take one week, they lose the second week.
- At present, the leave must be taken within the first 56 days after a child’s birth or adoption. They must notify their employer of their leave dates no later than 15 weeks before the expected week of childbirth or within 7 days of being matched with a child.
- However, under the new regulations, from 6 April 2024, employed fathers or partners will be allowed to split their leave and take it in two non-consecutive one week blocks.
- They will have longer to take paternity leave, as they will be able to take their leave at any time in the first year after the birth or adoption of their child.
- Changes to the notice provisions will also be introduced; eligible employees will be required to give 15 weeks’ notice of entitlement to their employers and the notice period for leave dates will be cut to 28 days.
- It is hoped that these reforms will make it easier for employees to take paternity leave and encourage more fathers and partners to do so.
- Employers will need to ensure that their teams fully understand the new entitlements so that they can be put into practice when the law changes.

Updated flexible working Code of Practice published

In July 2023, ACAS launched a consultation seeking views on the updated statutory Code of Practice on handling requests for flexible working to support employers and employees given the upcoming reforms. Following the consultation on the updated Code, ACAS has now published the final version of the Code ready for when the legal changes take effect. The new Code is more detailed, contains a foreword setting out the benefits of flexible working, and the advantages of consulting with employees.

Did you know?

Employers should prepare to implement the changes to flexible working requests that are expected to come into force on 6 April 2024 to ensure that they remain legally compliant when the reforms take effect.

Expected disruption from snow and ice this week

With weather warnings in place for snow and ice across many parts of the UK this week, affected employers should consider taking steps to minimise disruption to their business operations. Agreeing alternative arrangements in advance with staff who may not be able to get to work due to adverse weather can enable them to continue working but also help to keep everyone safe. This could include agreeing a period of homeworking, annual leave or taking banked time off in lieu (TOIL).

Did you know?

If businesses need to close because of the weather conditions, normal rules on lay off will apply. In these circumstances, employers will need to check their contracts of employment to determine entitlements.

4-year delay meant claim was out of time

The claimant submitted claims of unfair dismissal, failure to pay accrued holiday pay and unauthorised deduction from wages. However, there was a gap of around four years from when he stopped working as an Uber driver and when he first contacted ACAS. He said that the reasons for the delay included that the law about the status of Uber drivers is uncertain and that he only became aware that he might have a claim when he was approached by a firm of solicitors representing Uber drivers in 2023.

Did you know?

The tribunal found that it was reasonably practicable for him to have issued proceedings within three months and his ignorance of his legal rights was not reasonable. His claims were dismissed.

An employer’s guide to work related stress

Here are a few tips for employers to reduce work related stress. Mental health first aiders, these aren’t a legal requirement but can be a great way of educating your team on how to recognise the signs of stress and how to provide some initial support. Improve your understanding of stress. You may wish to complete a stress awareness eLearning or training session, to understand the causes of stress and how to prevent it in a workplace. This can also be useful for employees in management positions.

Did you know?

Reward achievements. By celebrating the successes in your workplace, you can improve the morale and teamwork of the team. This can also improve productivity.

Organisations will need to prepare to review and update their paternity leave policies and practices. Contact our 24-hour Advisory Service for up-to-date guidance on this and more.

Please contact the 24 hour advice service for advice on your specific situation before acting on the information in this publication.