



This Week in Employment Law

Labour Party sets out employment law manifesto

Sir Keir Starmer has set out the Labour Party's plans for employment law reform if they are successful at the next General Election. With 2024 likely to be an election year, we look at what the impact could be for employers.

- The latest an election must be held is January 2025, but there is speculation that an election will take place this autumn.
- In late 2023, Shadow Deputy Prime Minister, Angela Rayner, made it clear that the Labour Party intends to bring forward an Employment Bill within its first 100 days in office, should it form the next government. The Labour Party's promises could bring far-reaching changes for employers, which include:
- Employees will have protection against unfair dismissal immediately from day one, removing the current two-year qualifying service requirement to claim ordinary unfair dismissal, and there will be no maximum limit on unfair dismissal compensation.
- The amount of Statutory Sick Pay will be increased and paid to everyone, including self-employed people.
- Staff under age 20 will get £10 per hour. Currently staff under age 20 are entitled to £7.49 per hour minimum wage (increasing to £8.60 in April).
- Zero-hours contracts and fire and re-hire (dismissal and re-engagement) will be banned.
- Employees will have the right to disconnect meaning employers cannot contact staff outside of working hours.

EHRC publishes new guidance on menopause

The Equality and Human Rights Commission (EHRC) has released guidance for employers on supporting staff with menopause symptoms in the workplace. It highlights that menopause symptoms could be a disability under the Equality Act 2010, and it provides examples of workplace adjustments that employers could make to support staff such as working from home or relaxing uniform policies. The EHRC is urging employers to carefully consider the new guidance and to adapt their policies and practices accordingly, to ensure fairness and inclusivity.

Did you know?

Employers should implement a menopause policy setting out their commitment to supporting staff with menopause symptoms in the workplace.

Bank holiday for April/March leave years

Organisations with an April/March holiday year should be aware that in 2024, Good Friday falls on 29 March. As a result, there will be an extra bank holiday in the leave year 2023/24 but only seven in 2024/25. Whilst there's no statutory entitlement to time off on designated bank holiday days, employers must ensure that their workforce receive at least 28 days' annual leave in total during the leave year which can include bank holidays. Employers should check their contractual wording to determine their position and ensure they are meeting their contractual and legal obligations.

Did you know?

The Croner Advice Service can review the annual leave provisions in your employment contracts and advise on holiday entitlement calculations.

Constructive dismissal after bullying complaints

When the claimant received various complaints from staff about bullying by the CEO, they raised them to the Group CEO. The claimant received no response and there was no investigation into the concerns. The claimant said that they became increasingly isolated from other members of staff and they were also spoken to in a condescending manner by the CEO. The claimant alleged that the respondent then made-up accusations against them concerning their conduct, to get them to resign. The claimant brought a constructive unfair dismissal claim.

Did you know?

The tribunal found that there was a breach of the implied duty of mutual trust and confidence. (Ms L Cameron-Peck v Ethical Social Group Limited).

Electric Vehicles and H&S – What you need to consider

Health and safety legislation requires employers to ensure that all electrical equipment is professionally installed and maintained. You must consider and manage the risks involved in the use of electrical equipment, EV chargers, the connecting cables and the location of both the charging units and the vehicles on charge. If the premises in which the equipment is being used also uses dangerous or explosive substances, the charging stations should be sufficiently remote from the hazard zones or storage areas and not create a potential source of ignition.

Did you know?

Health and safety legislation requires employers to do everything that is reasonably practicable to protect the health and safety of their workforce.

The Labour Party's promises could lead to reform of many aspects of employment law. 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.