

Labour releases updated manifesto

As we approach the General Election on 4 July 2024, the Labour Party has released an updated manifesto setting out a number of proposed employment law reforms. We look at the Party's new manifesto commitments and what this could mean for employers.

- Labour's revised manifesto includes a proposal to introduce an obligation on employers to inform their workforce of their right to join a union by including a clause in the written statement of particulars. If Labour win the election and implement this change, employers will need to review and amend their employment contracts to incorporate this requirement.
- Other pledges include introducing a requirement on large employers to produce Menopause Action Plans to set out support provided. There is currently no requirement for employers to produce Menopause Action Plans.
- There would be a requirement for large employers (those with more than 250 employees) to report on their disability pay gap. This was originally limited to ethnicity pay gap reporting in Labour's previous manifesto.
- It is also proposed to give self-employed contractors the right to a written contract. If this change becomes law, employers will need to ensure that they provide a written contract to any self-employed people that they engage.
- Labour says that they will strengthen the law on tips to allow workers to decide how they are allocated (going beyond the new tipping law that the current Government is introducing, which leaves the decision on allocation to employers).

Fire and re-hire Code of Practice will come into force

The new statutory Code of Practice on Dismissal and Re-engagement ('fire and re-hire') will come into force on 18 July 2024 as the necessary legislation to bring it into effect was passed just before the dissolution of Parliament ahead of the General Election. It applies where an employer is considering making changes to one or more of its employees' contracts of employment; and envisages that, if the employee and/or their representative does not agree to some or all of the changes, it might opt for dismissal and re-engagement in respect of that employee.

Did you know?

The Code does not apply where the prospect of dismissal and re-engagement has been raised with either the employee and/or their representative before 18 July 2024.

New rights for bereaved fathers and partners to be introduced

The Paternity Leave (Bereavement) Act 2024 has received Royal Assent, although regulations will need to be made to bring it into force. The Act will enable bereaved fathers and partners to take paternity leave on the death of a child's mother (or adoptive parent) within the first year of adoption or birth by removing the 26 weeks' service requirement normally needed to take paternity leave. It is expected that the leave will be extended to 52 weeks' rather than two weeks' leave but this will need to be confirmed in the regulations.

Did you know?

For more information on who is entitled to paternity leave ask [Croner BrAlnbox](#) your question or click on this link: [who gets paternity leave?](#)

No constructive knowledge of disability

The claimant brought claims of direct disability discrimination and discrimination arising from disability arguing that the respondent should have been fully aware of their disability because of their previous employment, even though this was before they were diagnosed with Asperger's syndrome. On appeal, the Employment Appeal Tribunal (EAT) found that there was limited evidence of any behaviours that would have alerted the respondent to the claimant having a disability during their earlier employment.

Did you know?

The EAT found that the tribunal had been entitled to conclude that the respondent did not have constructive knowledge of disability. (Godfrey v NatWest Market plc).

Lone working – It can't be avoided

Lone workers should be provided with suitable and sufficient training, informing them on the risks associated with lone working. Carry out a lone working risk assessment to identify potential hazards for your lone workers and implement the necessary control measures. Lone working can cause work related stress and affect the mental health of workers. There may be instances where you are unsure if a medical condition affects a lone worker's ability to complete their role. You should seek impartial, medical advice from a professional who can advise on their medical suitability.

Did you know?

Lone working cannot be avoided in some circumstances, you should ensure training is reviewed periodically to ensure it is kept up to date.

Organisations should make sure that their teams know how to manage HR issues that could arise during the General Election campaign. 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.