

TIPS

This Week in Employment Law

Government to Ban Restaurants from Taking Tips from Workers

Prime Minister Theresa May has announced legislation that would require hospitality employers to allow workers to keep all money given to them as a tip. Here, we take a look at this further:

- Currently, there is no law preventing employers from taking all or some of the money given by customers to workers as tips.
- This is a common practice for some employers, though it is often the subject of worker disgruntlement: high-profile businesses have faced criticism this year for making deductions of up to 10% from waiters.
- New laws announced by Prime Minister Theresa May will ban this practice meaning that employers will be required to pass all money paid as tips to workers without deduction.
- This would require significant change to some current pay practices, with employers potentially seeing a large shortfall in profits.
- Whilst no date has yet been set for the introduction of the new law, employers should consider what changes they may need to make to ensure they are not at risk of an unlawful deductions claim.

Major companies to publish 'family friendly' policies

Ten big-name businesses are to publish their maternity, paternity and parental leave and pay policies online as a way of promoting transparency on family leave entitlements. The aim is to ensure that job applicants are aware at an early stage of the employer's entitlements on time off for family reasons.

Did you know?

MP Jo Swinson wants all large firms to be transparent on their leave policies, with the aim of creating a culture where employees feel better supported. This is due to evidence which suggests individuals don't feel confident enough to ask about family leave during the interview stages.

Ban workplace relationships, says journalist

Speaking on *Good Morning Britain*, journalist Harriet Minter has argued that workplace romances cross the line into 'inappropriate behaviour' and spark confusion over where 'harmless' flirting stops and sexual harassment begins. This was in response to the news that 1 in 20 bosses think workplace romances should be banned.

Did you know?

Whilst there is no law against employees entering into workplace relationships, employers can require employees to notify them to ensure there is no conflict of interest and to try to avoid complaints of unfair treatment. A specific policy is the best way to set out rules to employees.

Inquiry launched into 'employment law evasion'

The Work and Pensions Committee is to investigate companies in the gig economy that have failed to recognise their staff as 'workers' and provide them with appropriate legal entitlements despite being told that "enough is enough and they need to start respecting the law".

Did you know?

Wrongly labelling workers as 'self employed' continues to cause issues on employment rights within the gig economy. Getting employment status right is key to ensuring individuals are afforded the correct employment rights and staying out of employment tribunal.

Tips are just one area of the complicated payroll arena that our experts can help you with. If you need advice on National Minimum Wage, lawful wage deductions, overtime payments or anything else related to pay, you can contact our 24 hour Advisory Service for assistance.

Please contact the 24 Hour Advice Service for advice on your specific situation before acting on the information in this publication.