

This Week in Employment Law

Government Consult on Ethnicity Pay Gap Reports

The government has announced new plans to require employers to publish data showing their ethnicity pay gap. A consultation is currently underway and early indications suggest this requirement could work in a similar way to the recent gender pay gap reporting requirement. Here's what you may need to do in order to comply:

- It is not yet known which firms will be asked to report their figures, however, it is expected that any requirement to publish the reports will be mandatory for those with a minimum of 250 employees.
- Firms will have to calculate and compare the pay rates among different ethnicities in their workforce. It remains to be seen what type of calculations will need to be done, and what categories of ethnicity will be used.
- Following the report employers are likely to have to publish an action plan to address any disparities in pay between different ethnicities.
- The Race at Work Charter, announced recently by the Prime Minister, requires signatories to show a commitment to creating greater opportunities for ethnic minorities at work, including naming Executive Sponsors for Race and capturing ethnicity data.

Supreme Court rule on 'gay cake case'

The Supreme Court have ruled that Christian bakers did not subject a customer to sexual orientation discrimination for refusing to produce a cake iced with the words 'support gay marriage'. Instead, the Court found that the bakery were protecting their own religious and political beliefs.

Did you know?

The Supreme Court found, importantly, that the bakery would have refused the request from anyone: the decision was not based on the customer's protected characteristic. This decision could have a corresponding impact on the defence of discrimination claims in the workplace.

62% suffer obesity discrimination at work

A recent report from the World Obesity Foundation revealed that 62% of adults surveyed had experienced discrimination due to their weight, with a further 31% feeling they are judged at work as a result. This highlights the need to protect staff from bullying and harassment relating to obesity.

Did you know?

A 2014 ruling by the European Court of Justice set a precedent for individuals to claim disability discrimination on account of their obesity when it creates a physical, mental or physiological impairment that affects participation at work.

Law Commission consult on extending ET time limits

The time limit to make a claim to the employment tribunal may change, if suggestions from the Law Commission are taken up. Many believe extending the time limit will be beneficial for certain cases, including victims of sexual harassment that may initially be reluctant to lodge a claim.

Did you know?

The current time limit for making most claims is 3 months. Extending the time limit will create a longer period of uncertainty for employers during which they will not know whether an ex-employee will take action against them.

The potential ethnicity pay gap report will place further obligations on employers to be transparent about their pay practices. If you need any advice on ensuring equality in your workplace, call our 24 hour Advisory Service.

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