

This Week in Employment Law

Pregnant Mothers to Receive Redundancy Protection

The Government plans to introduce laws which offer greater protection during a redundancy exercise to pregnant women and returning parents. This will mean significant changes for employers of all sizes when making redundancies. Here we take a closer look what this means:

- It is a common myth that women on maternity leave cannot be made redundant.
- They can, but they must be offered a suitable alternative vacancy, where there is one, above all other employees; they do not need to apply for it.
- The Government wants to extend this protection so that it applies for a much longer period; from the point the employer is aware of the pregnancy until 6 months after the employee's return from maternity leave.
- There is also discussion on whether employees taking Shared Parental Leave or Adoption Leave should benefit from a similar type of protection, meaning it would apply to men as well as women.
- If implemented, this change would be a significant one for all employers. Redundancy policies will need to be reviewed and procedures will need to be amended to ensure application of the extra protection for the longer period, and for more people.

HMRC reveal NMW offenders in textile industry

A HMRC investigation revealed British clothing manufacturers have paid almost £90,000 in fines over the past 6 years after failing to pay staff in line with national minimum wage (NMW) laws. Despite prevention measures, the HMRC claim to have found evidence of an underpayment in one in every four inspections.

Did you know?

HMRC continues to show its commitment to investigating employers for failure to pay workers in line with NMW. Workers are able to report employers using the government's online reporting tool. Failure to comply with the law can result in significant fines.

Snow storm to cause disruption for commuters

Severe snow and ice is expected across parts of the UK this week, with the Met Office predicting 10cm of snow in places. This may create a problem for staff when it comes to travelling to work and employers should consider what their approach will be in these circumstances.

Did you know?

In most cases employers won't need to pay staff who can't attend work due to bad weather; including this in employee contracts makes the situation clear. A severe weather policy is a useful document to identify practical ways for employers to manage the absence.

Job applicants suffer ethnic minority discrimination

A new study conducted by Nuffield College and the University of Oxford has reported that ethnic minorities experience 'shocking' levels of discrimination when applying for jobs, having to send 80% more applications than their white counterparts to get the same amount of positive responses.

Did you know?

Basing hiring decisions on an individual's race or ethnicity is an example of unlawful discriminatory behaviour. Employers should be sure not to implement discriminatory practices and should also be aware of the impact that unconscious bias can have.

Redundancies are often complex and, if approved, the government's proposal to extend the protections for working parents could make procedures even more complicated. If you are considering making redundancies in your organisation or, if you have any queries on the rights of working parents, give our 24 hour Advisory Service a call.

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