

This Week in Employment Law

New Laws Offer Extended Redundancy Protection for Working Mothers

The government has announced new laws that will provide greater protection for women and new parents when in a redundancy situation. We take a look at this in more detail below:

- Current laws require employers to treat a woman on maternity leave more favourably than her colleagues when in a redundancy situation.
- This means women on maternity leave must be offered a suitable alternative vacancy in the business ahead of other employees.
- Under new laws, the redundancy protection period will last for much longer than just the maternity leave period.
- The principle of favourable treatment will begin when the employee tells her employer she is pregnant. It will then last until 6 months after the employee has returned from maternity leave.
- Essentially, the protected period will double from a maximum 12 months to a maximum two years, or possibly longer depending on exact circumstances.
- Parents returning from adoption leave will be afforded the same protection, as well as those on shared parental leave, however, exact details on how this will work are yet to be revealed.

New enforcement body proposed for workers' rights

The government has proposed the formation of a single labour market enforcement body to ensure individuals' rights are protected at work. This could increase the level of scrutiny on employers who fail to meet their statutory obligations towards staff.

Did you know?

The main focus of the consultation is how any new enforcement body should respond to employers who break the law around holiday pay. There are a number of variables employers need to consider when calculating holiday pay, including any regular overtime which was recently discussed by the Court of Appeal.

Consultation on 'unfair' flexible working practices

Another consultation for the government's Good Work Plan looks to address the one sided flexibility that can exist in zero hours contracts. Amongst various proposals is the need to offer compensation to workers whose shifts are cancelled on short notice.

Did you know?

A large part of the Good Work Plan is to protect individuals working in the insecure gig economy. Whilst employers currently have the relative freedom to cancel jobs and shifts without giving specific notice, these new proposals could significantly restrict this ability in the future.

Home Office propose stricter modern slavery rules

The Home Office has announced new proposals to further address modern slavery in the workplace. These include mandatory reporting topics for modern slavery statements as well as making employers publish statements using a designated online portal.

Did you know?

Organisations with an annual turnover of £36m+ are legally required to produce a modern slavery statement each year, however, recent figures have shown a lack of compliance. In light of this, the consultation also proposes stricter enforcement action for employers who fail to meet their reporting obligations.

Redundancy procedures are never easy, however, the introduction of these new laws creates additional obligations for employers to consider. Therefore, if you are looking for advice on redundancy or restructure and how to avoid claims of discrimination, give our expert 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.