

This Week in Employment Law

Millions More Workers Could Qualify for Sick Pay Under New Proposals

2 million low-paid workers could receive statutory sick pay (SSP) in the future under the government's proposals. As the public consultation opens this week, we look a closer look at what this could mean for employers:

- The payment of SSP is subject to various qualifying criteria, including minimum average earnings of £118 per week. The government has proposed extending payment of SSP to those earning less than this amount.
- This is likely to create additional costs for employers, especially those with large number of part-time employees. However, a sick pay rebate has been proposed to help smaller employers with the cost.
- The consultation seeks views on adjusting the rate of SSP to avoid a situation where low-paid employees could potentially earn more money when off sick than when they are in work.
- Additional statutory guidance has also been proposed to help employers encourage staff to return to work as soon as possible, and employees may also be given the right to request specific changes to their role on health grounds.
- Employers who are faced with extra SSP costs may re-focus efforts on helping employees back into work.
- Employers should keep a close eye on the outcome of this consultation and be prepared to make changes to their existing policies and payroll procedures where necessary.

Figures show ethnic minorities earn less at work

The Office of National Statistics (ONS) has revealed the wage disparity between a large number of black, asian and minority ethnic (BAME) workers and their white counterparts. According to the report, BAME workers earned 3.8% less than all white ethnic groups on average in 2018.

Did you know?

The government is still considering how to implement mandatory ethnicity pay gap reporting. However, any requirement is expected to work in a similar way to the gender pay gap report, meaning employers of a certain size may need to analyse their pay practices by ethnicity and make this information public in the near future.

MPs recommend further whistleblower protection

The All Party Parliamentary Group have called for an overhaul of UK law to provide whistleblowers with better protection at work. Suggestions include the creation of an independent office to more effectively prevent firms punishing staff for making a protected disclosure.

Did you know?

Whistleblowers are currently protected by the Public Interest Disclosure Act 1998. Under this legislation, employers mustn't penalise an employee for making a protected disclosure and a dismissal on these grounds can result in significant compensation to the employee.

Businesses fearful of post-Brexit immigration rules

53% of UK employers fear they will be worse off under the post-Brexit immigration rules according to the British Chamber of Commerce. Many fear that the restrictions on low-skilled workers will make it difficult to hire staff to fit their business needs.

Did you know?

A 12-month work and residency limit will be introduced to help support firms who rely on low-skilled work, however it remains to be seen how successful this will be in attracting workers. This scheme offers significantly less freedom than is currently available and employers may struggle to fill key roles as a result.

The SSP scheme is already complicated, and may become more so if different rates will be set for different employees. Our Payroll Advisory Service can keep you up to date on developments as they happen, making sure you keep employee pay in line with the law.

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