

## *This Week in Employment Law*

### Thomas Cook Collapse Causes Issues for Employers

**The sudden collapse of travel company Thomas Cook has resulted in uncertainty for holiday makers, with many return flights to the UK now cancelled. It also poses questions for employers who are faced with unexpected staff absence. Here, we take a look at what it means for employers:**

- Given the unusual circumstances which are out of employees' control, leniency may be appropriate in dealing with staff absence to find an agreeable solution.
- Employers will need to decide how the unexpected time off will be treated for affected employees; there are various options for this.
- Extending annual leave; allowing unpaid leave; agreeing - where possible - that the work be carried out from the holiday location are all potential solutions.
- It is important for employers to keep in regular contact with employees throughout their absence to keep themselves informed of the latest developments.
- Employers may also be faced with decisions to make over whether time booked off for upcoming holidays can be cancelled, especially where cover arrangements have already been made.
- Being able to rely on a well-constructed absence policy will help employers manage this situation.

### Charity release guidance on disfigurements at work

Changing Faces has released guidance for employers on recruiting a candidate with a disfigurement. This term is used to describe someone who has a mark, scar or condition that affects their appearance and employers are warned not to discriminate against someone on this basis.

#### **Did you know?**

Under the Equality Act 2010 severe disfigurements are automatically considered to be disability. Therefore staff are protected from detrimental treatment as a result and don't have to demonstrate how this has a substantial adverse affect on their ability to carry out day-to-day activities.

### Labour pledge introduction of 32 hour working week

The Labour party has pledged to cut the UK's average working week to 32 hours within 10 years if they are elected into power. These plans suggest reducing the total number of hours worked each week without causing any loss in pay for employees.

#### **Did you know?**

Reducing working hours would likely leave some employers with productivity headaches. However, more flexibility on working hours and a better work-life balance can be a top priority for employees meaning employers may need to pre-empt legal change and make it their priority now.

### Over half of women have never negotiated a pay rise

57% of women have never attempted to negotiate a pay rise at work, despite 54% feeling unsatisfied with their pay according to recruiters Robert Walters. This reluctance to discuss pay rises when compared to male counterparts could be contributing to the gender pay gap.

#### **Did you know?**

Whilst there is no requirement to discuss pay rises or agree to requests from staff, it would be wise to review pay practices regularly to ensure they remain fair. If pay rises are given to certain staff then employers should be able to justify these with valid and lawful evidence in order to avoid potential equal pay claims.

Dealing with staff that are absent through no fault of their own can be difficult and there are a number of different approaches employers can take. However, it is imperative that employers use a measured and consistent approach in their response. Call our expert 24 Hour Advisory Service for expert guidance.

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