

## New immigration law proposals released

**The government has outlined plans for how the new post-Brexit points-based immigration system, expected to be introduced from 1 January 2021, will work in practice. Here, we take a look in more detail.**

- Free movement between the EU and the UK will end on 31 December 2020, meaning any EU nationals seeking to come and work in the UK from this date will be treated the same as any other foreign national.
- From next year, individuals from overseas will need to meet certain criteria or obtain a minimum of 70 'points'.
- Points will be awarded for having a job offer from an approved sponsor, seeking to undertake a job of an appropriate skill level, being able to speak English and the qualifications that the individual has achieved.
- Points will also be awarded for salary; generally, the job will need to be providing a salary of at least £25,600, aside from in certain sectors where skills shortages have been identified.
- For example, those seeking positions in nursing may be able to apply for roles offering a minimum of £20,480, however it is not yet confirmed what other sectors will fall into this category.
- A new Immigration Bill is expected later in the year to confirm these proposals, meaning they could still be subject to change.

### Supreme Court will not hear shared parental leave appeal

Claimants in a previous Court of Appeal decision, which found that it was not directly or indirectly discriminatory to enhance maternity leave pay but not shared parental leave pay, have been refused leave to appeal. This means the Court of Appeal decision remains binding.

#### Did you know?

The appeal refusal in this case means that employers are free to continue to offer enhanced pay to employees on maternity leave, whilst paying only the statutory rate to employees on shared parental leave, safe in the knowledge this is not discriminatory to men who take shared parental leave.

### New guidance for managing vegan employees released

The booklet, published by the Vegan Society, outlines that employers should send out a 'dietary requirements' sheet, have designated food storage for vegans, provide milk alternatives, offer vegan-friendly clothing and support vegans in discussing their pension investment.

#### Did you know?

Although an employment tribunal verbally ruled that ethical veganism is a philosophical belief, obligations towards vegans in the workplace have not changed. This guidance is, therefore, optional. It does, however, give a comprehensive view on supporting vegans in the workplace for those employers who choose to do it.

### DWP to pay out almost £400,000 for discrimination

The claimant outlined that she had been subjected to prolonged bullying as a result of her race, including racist language and false accusations of theft, which had created a 'hostile environment' for her and led to her going on long-term sick leave.

#### Did you know?

Employers can be liable for the discriminatory behaviour of their staff even if they did not know it was happening. However, they can defend a claim by showing they took reasonable steps to prevent this conduct. It is advisable to maintain a zero tolerance approach towards this behaviour.

These changes to immigration law will present new challenges to companies who employ EU nationals and it is vital to comply with the law in this area to avoid fines for employing illegal workers. For more information on this, and Brexit implications as a whole, please call our dedicated Brexit helpline on 0844 728 0139.

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