

## Government expected to confirm 6.6% National Living Wage increase

**The Treasury has announced that the National Living Wage will increase next April to £9.50 per hour. We look at what employers need to know about this increase and other expected minimum wage rises.**

- The Chancellor is expected to confirm in his Budget on Wednesday this week that from 1 April 2022 the National Living Wage will increase from £8.91 to £9.50 per hour.
- The National Living Wage applies to workers aged 23 and over. The government intends to expand the National Living Wage to include workers over the age of 21 by 2024.
- The National Minimum Wage applies to workers over compulsory school age but under the age of 23.
- From 1 April 2022, the National Minimum Wage will also increase for those aged 21-22 from £8.36 to £9.18; for 18 to 20-year-olds from £6.56 to £6.83 and for under-18s from £4.62 to £4.81.
- The Apprentice Rate will rise from £4.30 to £4.81 from 1 April 2022. The Apprentice Rate applies where the apprentice is under the age of 19 or 19 or over and in the first year of the apprenticeship.
- The National Living Wage is not to be confused with the "real living wage" which is calculated by the Living Wage Foundation based on living costs. The "real living wage" is paid voluntarily by employers who are accredited with the Foundation.

### 'Fire and rehire' bill blocked by MPs

On Friday 22 October 2021, a private member's bill, presented by the Labour MP, Barry Gardiner, was defeated in the Commons by Conservative MPs. The bill failed to gain sufficient support to progress beyond its second reading. Whilst the bill did not prevent 'fire and rehire', the new law would have required employers to properly consult with employees first, in certain circumstances.

#### Did you know?

'Fire and rehire' is a phrase used to describe the practice of dismissing staff who refuse to accept a change to their terms and conditions of employment and offering to re-engage them on new terms and conditions.

### Mandatory Covid vaccines in health and social care

The consultation into making Covid and flu vaccines mandatory in wider health and social care settings closed on Friday 22 October 2021. A response on this is not expected for at least several weeks but Sajid Javid said in a Sky News interview that he is "leaning towards" introducing this. The requirements would apply to frontline health and care workers in face-to-face contact with patients and clients.

#### Did you know?

If the requirements are introduced frontline health and care workers will not be able to carry out their roles unless they are fully vaccinated or medically exempt. Although there may be opportunities for redeployment to non-frontline roles.

### EAT finds menopause may be deemed a disability

The EAT has found that a childcare social worker who suffered from menopausal symptoms for over 12 months may be deemed disabled under the Equality Act 2010. The EAT said the Employment Tribunal fell into the error of weighing what the claimant could do against what she could not do. The claims will now be considered afresh by a new Employment Tribunal.

#### Did you know?

Menopause is not currently a protected characteristic under the Equality Act 2010. However, employers should be mindful that employees suffering from menopausal symptoms at work may still be able to claim discrimination.

The government can 'name and shame' employers who fail to pay the correct minimum wage to their workers by publishing names of companies. Contact our 24-hour Advisory Service for up-to-date guidance on this and more.

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