

Countdown to Black Friday and Cyber Monday

With the major sales events in the run-up to Christmas, Black Friday and Cyber Monday, almost here, we consider what steps employers should take to manage staff and maintain productivity during this time.

- Black Friday takes place this Friday in the UK (26 November), followed by Cyber Monday next Monday (29 November). Although these events offer significant price reductions for consumers, they can have the potential to negatively affect productivity if some staff are tempted to browse online deals during working hours.
- Employers should remind all employees, including those working remotely, that usual rules surrounding internet use, personal browsing and mobile phone usage apply.
- Although employees are more likely to use their mobile phones to shop the sales, they may be tempted to use their work internet access or work emails to review Black Friday offers. To avoid this, draw attention to the employer's stance on using work equipment for personal use, whether this is a complete prohibition during working hours or if reasonable use is permitted.
- Remind employees that any breach of the rules could invoke the employer's disciplinary procedure.
- Any absent employees on Black Friday and Cyber Monday should follow the employer's usual absence reporting procedure.
- Retail employers should put measures in place to reduce work-related stress for employees who may experience a surge in demand during these sales events and ensure they know who to contact if they need support.

Equal Pay Day highlights increase in gender pay gap

Equal Pay Day on Thursday 18 November 2021 symbolised the date from which women started working for "free" until the end of the year. Equal Pay Day is calculated by the gender equality charity, The Fawcett Society. The Society uses the mean, full-time, hourly gender pay gap for the UK to calculate the gender pay gap for Equal Pay Day which this year is 11.9%, an increase from 10.6% in 2020.

Did you know?

The Society marked Equal Pay Day by calling on employers to take the #EndSalaryHistory pledge: to stop asking new recruits how much they were paid in their previous jobs, which perpetuates the gender pay gap.

Proposed new law on use of algorithms at work

A group of MPs have published a report on the use of Artificial Intelligence and algorithms in the workplace, which are often used to set performance targets such as number of items warehouse workers have to pick per hour. The group are calling for a new law that would create a new corporate and public sector duty to carry out, disclose and act on Algorithmic Impact Assessments.

Did you know?

The report also recommends including in the new law a right to flexible working unless there is a strong business case not to do so, the ability to disconnect outside agreed working hours and a right to reasonable notice for shift work.

EAT finds taxi driver's expenses fall under NMW

The Employment Appeal Tribunal has found that payments made by a taxi driver to his employer should not cause his pay to fall below National Minimum Wage in the relevant reference period as the expenses were incurred in connection with his employment. The payments were for a uniform he was required to wear and for renting his car from the employer.

Did you know?

In this case it did not matter if there was a choice whether or not to incur the expenses, or if there were alternative options such as using his own car, just that the expenses were incurred in connection with the employment.

Being flexible regarding time off and breaks during Black Friday and Cyber Monday could help boost productivity, however employers should ensure they are consistent with staff to avoid any discrimination issues. 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.