



This Week in Employment Law

28-03-2022

Supporting employees during Ramadan

The holy month of Ramadan when Muslims observe a period of daily fasting and prayer is expected to begin this year on 2 April 2022 and end on 1 May 2022, we look at key ways employers can support their staff during this time.

- Employers can support employees by adding some flexibility to the working day such as scheduling important meetings in the morning when energy levels of employees are likely to be higher and encouraging employees to take more regular short breaks. In addition, as fasting begins at sunrise, the employee's day may begin earlier than normal so employers could consider temporarily amending working hours to allow fasting employees to start and finish early.
- Employees with a long commute may benefit from a temporary period of home working or hybrid working, where they split their working hours between the workplace and home.
- Employers should avoid making assumptions about which employees are observing Ramadan, and be aware that not every Muslim employee will be affected in the same way.
- Although employers can expect staff to book holidays using the normal procedure, employers may need to take a flexible approach to short-notice requests for annual leave, as the dates for Ramadan vary depending on the lunar cycle.
- Implementing a workplace policy on religious observance can be a great way to outline the support available to employees and what flexibility or adjustments are available, demonstrating the employer's commitment to creating an inclusive working environment.

Reminder National Minimum Wage increases this week

Employers should ensure they are prepared for the changes to statutory rates coming into force this week. The National Living Wage (paid to workers aged 23 and over) increases on 1 April 2022 from £8.91 to £9.50, the biggest increase since its introduction. The National Minimum Wage also increases on 1 April 2022. Employers will need to check which workers are due an increase and amend their payroll accordingly.

Did you know?

The pay rise is due to the worker in the next "pay reference period" after the increase has come into force, which may mean that pay does not increase for the individual until some way into April.

Changes to fit notes and SSP rules

From 6 April 2022, a new version of fit notes will be introduced which will remove the requirement for doctors to physically sign their signature and instead will be legally binding if it contains the name of the doctor authorising the form. Also on 6 April 2022, Statutory Sick Pay (SSP) will increase from £96.35 to £99.35 and the Lower Earnings Limit will increase for the first time in 2 years, rising from £120 to £123.

Did you know?

From 25 March 2022 Covid SSP rules were removed, meaning SSP is no longer payable from day-one of absence and doesn't cover periods of isolation when the person remains well enough to work.

Employer not vicariously liable for employee's actions

The claimant was a contractor working on site who claimed to have suffered tinnitus and hearing loss after an employee of the respondent put 2 pallets near to the claimant's head, and banged them loudly with a hammer. The Court of Appeal held that it was unreasonable to expect employers to have in place systems that stopped horseplay and the employee was in no way authorised to act in the way that he did.

Did you know?

Although this case is good news for employers, they should ensure that their health and safety procedures are up-to-date and fully implemented, and any breaches are acted upon.

During Ramadan, employers should communicate with employees to remind them of any relevant policies in place and instil a zero-tolerance stance on discrimination, bullying and harassment. 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.