

Government expected to delay introduction of new employment rights

Trade unions have reacted with anger to reports that the introduction of the long-awaited Employment Bill is to be delayed until at least May 2023, we look at the key developments for employers.

- The Employment Bill was expected to be announced in the Queen's Speech on 10 May 2022, but government officials are reported to have confirmed that the Bill will now be postponed.
- In response to the current P&O Ferries dispute more than 30 trade unions, including RMT, Nautilus, Unite, Unison and GMB had written to Business Secretary Kwasi Kwarteng seeking a publication date for the Employment Bill, which was first promised by the government in 2019.
- The Employment Bill would introduce new statutory rights such as a brand new right for employees to carer's leave, which would give them the right to take up to 5 days' unpaid leave each year to help them carry out their caring responsibilities, and a new right to 12 weeks' paid neonatal leave for parents with babies in neonatal care units.
- The Bill would also extend current flexible working request rules to include a right to request flexible working from day one of employment and improve redundancy protection for pregnant employees and those returning from maternity leave.
- Whilst the delay in these changes being implemented gives employers more time to prepare, some employers may want to introduce measures now that go above and beyond current legal entitlements to improve inclusion and diversity in the workplace.

Calls for reform of Apprenticeship Levy

HR professionals are calling for the replacement of the current Apprenticeship Levy with a broader training levy, which can be accessed by more employees. In his Spring Statement, the Chancellor said the government will review the current Levy, which has been criticised for not increasing take-up of apprenticeships. The Apprenticeship Levy is paid by employers with a pay bill of over £3 million who pay 0.5% of their total annual pay bill.

Did you know?

Opening up the scope of the current Levy to be a wider training levy would be particularly valuable if it could be used to retrain or upskill existing staff members, boosting retention and productivity levels.

Consultation on disability reporting

A government consultation on workforce reporting on disability closed on 8 April 2022, with a response due to be published by 17 June 2022. The consultation considered both voluntary and mandatory disability reporting for large employers with 250 employees and above. Employers are already encouraged to follow the voluntary disability reporting framework, which is also available to smaller employers.

Did you know?

Disability reporting can be beneficial as part of a wider strategy to create an inclusive working environment, attracting new talent to the business and improving retention of disabled people.

Former P&O Ferries employee's tribunal claims

It is reported that only one of the P&O Ferries employees who were given notice of immediate redundancy has not signed a settlement agreement. He has raised tribunal claims for unfair dismissal, race discrimination and harassment on the basis that he was treated unfavourably because he is British and eligible for minimum wage. He is seeking compensation as well as an exemplary damages pay-out totalling £76million.

Did you know?

Exemplary damages, which are designed to punish the wrongdoer, are available in limited cases, such as when the respondent is guilty of oppressive or unconstitutional action.

Employers should review their policies and practices to prepare for the anticipated changes in the Employment Bill, taking steps now rather than waiting for legislation to be introduced can help to improve engagement, well-being and staff retention. 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.