

## Government plans to lift ban on use of agency workers during strikes

**The government has announced plans to introduce legislation this week to allow employers to bring in agency staff to cover workers on strike, we look at the implications for employers.**

- In the latest development in the dispute between unions and the government, the government plans to make it legal for employers to bring in agency staff to fill the roles of striking workers. This would repeal the existing ban on the use of agency workers during strike action.
- Legislation will be laid before parliament later this week and is expected to come into effect in mid-July.
- All employers will then have the flexibility to bring in outside staff, although it will be their choice whether to do so. The government's aim is to significantly reduce the impact of strikes and make it more difficult for unions to use strikes as a way to force employers to negotiate.
- Whilst this change won't stop the nationwide train strikes going ahead this week (on 21, 23 and 25 June), it could make future strikes less effective if operations are able to continue regardless of strike action.
- The Trades Union Congress said allowing agency staff to replace striking workers would undermine the right to strike and create safety risks for the public and for the workforce.
- Transport Secretary Grant Shapps has previously discussed new legislation to make a strike unlawful unless there are minimum staffing levels in place. But, there are no plans for this to be implemented yet.

### Neonatal leave bill presented to parliament

Last week the SNP MP Stuart McDonald tabled the Neonatal Care (Leave and Pay) Bill in parliament, which if passed, would give new parents and carers the right to paid time off if their baby is in hospital for seven or more consecutive days during the first four weeks of life. This time off would be in addition to any maternity, paternity or adoption leave entitlement, so that parents and carers can spend more time with their baby.

#### Did you know?

This is a Private Members' Bill, so there is no guarantee that it will become law, but providing similar rights as a contractual entitlement can boost recruitment, retention and staff wellbeing.

### Changes announced to apprenticeships

The Education and Skills Funding Agency (ESFA) has announced that a number of improvements to apprenticeships will come into force from August 2022, which will be good news for critics of the current system. The changes will include allowing unnecessary training to be cut out so that the apprentice can spend more time in the workplace, and setting out a minimum number of training hours for a full-time apprentice.

#### Did you know?

This will mean that apprentices can complete their apprenticeships and become fully competent more quickly, increasing productivity for the employer as well as their own earnings potential.

### Ethical veganism is not always a philosophical belief

A claimant who said that her ethical veganism included trespassing on the private property of others and removing their property has lost her claim that this was a philosophical belief. The tribunal found that a belief to take actions that are unlawful (either contrary to civil or criminal law) and to interfere with the property rights of others cannot be worthy of respect in a democratic society.

#### Did you know?

The decision made by the tribunal in a previous case in 2020 still stands that ethical veganism which does not involve the breaking of laws is a philosophical belief.

With rail strikes expected to cause huge disruption this week, employers should be flexible regarding lateness that is not the employee's fault, for example, agreeing for the time to be worked back may be an option. 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.