

This week in Employment Law

Sexual harassment

In the wake of the President's Club scandal, the focus has once again fallen on employers to ensure their risk of sexual harassment claims remains low. Shortly before a work related social event, you should be aware that:

- you can be liable for the actions of your employees even though you may have no knowledge of those actions;
- a work related social event is generally regarded as an extension of the workplace and behaviour at such events can lead to grievances that you will need to deal with;
- while bullying and harassment are distinct concepts (harassment is offensive behaviour related to a protected characteristic e.g. sex; bullying is offensive behaviour in a wider context) both can lead to grievances, resignations or Employment Tribunal claims;
- reminding employees of your equal opportunities/personal harassment policy and what you consider to be unacceptable behaviour is key to your zero tolerance policy;
- allegations of harassment/bullying should be dealt with swiftly and sensitively and can result in disciplinary action or dismissal for the perpetrator.

Apprenticeship Agreements

Contracts for apprentices doing an approved English apprenticeship now need to contain new information. To be legally compliant, this 'apprenticeship agreement' must now contain:

- The duration of the apprenticeship; and
- Details on off-the-job training to be provided to help the apprentice to attain the standard.

Did you know? The amount of off-the-job training provided to the apprentice must be at least 20% of the duration of the apprenticeship and can be provided both on-site and off-site.

Did you know? The process of managing and dismissing apprentices is different depending on what part of the UK you are in.

Zero hours contracts to be banned?

The Government is currently debating new laws which could remove the legal use of zero hours contracts. A ban will mean these contracts will no longer be lawful and worker's documentation will need to be reviewed and changed.

Did you know? You cannot use a zero hours contract which prevents the worker from working elsewhere.

Did you know? If zero hours contracts are not banned, the Government is likely to adopt a rule whereby zero hours workers must be paid a higher minimum wage than other workers.

Did you know? Another likely rule to be adopted, if zero hours contracts remain lawful, is a right for the worker to request a guaranteed hours contract after 12 months.

Even the little things count...

A disabled employee of large retail store has won £1000 because his employer delayed in providing him easier access to the toilet. The employee's condition means that he must visit the toilet frequently and he used the goods lift to get to the toilet. He asked for a lift key for the customer lift to make his journey quicker because an upcoming operation would increase his visits. The key was not provided until 10 days after the operation and the Employment Tribunal said this was an unacceptable delay; the employee was awarded £1000.

- You must make reasonable adjustments for employees with a disability;
- When the adjustment is simple and available, ensure it is done without delay.

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