

Unfair dismissal awards to increase

The Government has announced the new Employment Tribunal compensation increases to take effect from April 2018. Importantly, claimants who win unfair dismissal claims will receive higher awards.

- The maximum compensatory award in an unfair dismissal claim will increase by over £3,000 to £83,682. This represents the amount of money the employee has lost because of the unfair dismissal;
- In addition to a compensatory award, employees are awarded a basic award calculated according to their age, length of service and weekly pay. The maximum basic award will increase by £570 to £15,240, breaking the £15,000 barrier for the first time;
- Therefore the total maximum cost of unfairly dismissing an employee (basic award + compensatory award) will be £98,922;
- The increases mean that the maximum statutory redundancy payment will increase to £15,240 because it is calculated in exactly the same way as the basic award.

Employers “years behind the law” on pregnancy

A report by the Equality and Human Rights Commission has revealed “distressing” attitudes towards pregnancy in the workplace. It has launched a “Working Forward” campaign to reduce workplace discrimination and improve conditions for new and expectant mothers.

Did you know? Approx. 33% of employers think it is ok to ask a woman in an interview about her plans to have a family.

Did you know? Asking this kind of question indicates an intention to make a decision based on the woman’s response. To do so would be discriminatory.

Three quarters of employers pay men more than women

New Government figures show that 74% of employers pay their male employees more than their female employees. This may be indicative of an equal pay issue within a company.

Did you know? Employers with 250+ employees must publish their first gender pay gap report this year. Private sector employers must do this by 4th April 2018.

Did you know? Sometimes a report which shows a gender pay gap does not mean that there is an equal pay case to answer. However, where a gap exists, employers should analyse the reasons why and take action to eliminate any discriminatory pay differences.

Unpaid internships under Government scrutiny

Employers who employ people under the label of an ‘internship’ in order to avoid paying them any wages may soon be forced to change their practices. Asking someone to undertake a job in the name of work experience where the person will perform tasks that an employee would normally perform, and not paying them, is unlawful. However, the Government suggests that 40% of ‘interns’ in the country are performing unpaid work.

Did you know? An intern who merely shadows someone is not entitled to pay. Interns who actually perform work are entitled to the National Minimum/Living Wage.

Losing an Employment Tribunal claim is getting more costly from April 2018. Employers must be sure that their policies, processes and procedures are watertight in order to defend any claim made. Employers cannot prevent someone from making a claim but they can put themselves in the best position possible to be able to win it. 24 hour expert employment law advice is vital to the success of your company.

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