

The Performance Group

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Fines for Illegal Employees

On **29th February 2008** new laws were introduced that will result in fines of up to £10,000 for each worker employed illegally. Further details about this legislation is available from our website <http://www.tpgl.co.uk/hr/free.html>

Employment Rights (Increase of Limits) Order 2007

On **1st February 2008** the limits applying to certain awards of employment tribunals and other amounts payable under employment legislation were increased.

Corporate Manslaughter Bill

On **1st April 2008** new laws on corporate manslaughter were introduced. They create a new offence of corporate manslaughter, which will allow organisations to be prosecuted for management failures that lead to the deaths of employees and others. The new offence will apply when an individual has been killed because the senior management of an organisation has grossly failed to take reasonable care for the safety of employees or others. It will be an offence committed by organisations rather than individuals and will therefore carry a penalty of an unlimited fine rather than a custodial sentence.

Information and Consultation of Employees Regulations 2004 are extended

On **6th April 2008** the Regulations which implement the Information and Consultation Directive in Great Britain were extended to cover business with 50 or more employees.

Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006 are extended

On **6th April 2008** these Regulations extended the statutory requirement upon employers to consult with prospective and active members of pension schemes and their representatives before making major or significant changes to future pension arrangements to include businesses with 50 or more employees.

Changes to the Sex Discrimination Act 1975 (Amendment) Regulations

This came into force on **6th April 2008** - This has amended the provisions in the act on discrimination on the grounds of pregnancy or maternity leave; harassment; and the series of exceptions relating to terms and conditions during maternity leave.

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National Minimum Wage Increases

From **1st October 2008** the rate of the national minimum wage will be increased. The main rate rose from £5.52 to £5.73 per hour and the development rate from £4.60 to £4.77 per hour. The rate for workers aged 16 to 17 years increased from £3.40 to £3.53 per hour. There will also be changes to how employers are penalised for failing to comply with national minimum wage legislation.

Amendments to the Law on Terms and Conditions of Employment during Maternity Leave come into effect

On **5th October 2008** the Sex Discrimination Act 1975 (Amendment) Regulations 2008 will narrow the extent to which it is not discriminatory to deprive a woman of the benefit of her terms and conditions of employment during maternity leave. These amendments will facilitate claims for discrimination in relation to eligibility for remuneration by way of a bonus while on compulsory maternity leave. In addition, they enable claims for discrimination in relation to terms and conditions of employment in relation to periods of additional maternity leave to the same extent to which they are available in relation to periods of ordinary maternity leave. The amendments apply where a woman's expected week of childbirth begins on or after 5th October 2008.

Employment and Support Allowance Regulations 2008 come into force

On **27th October 2008** these regulations will set out the conditions of entitlement and benefit regulations for the new social security benefit, employment and support allowance. Employment and support allowance is payable to those who claim benefit on the basis that they have, or are treated as having, a health condition or disability that affects their ability to work. It will be payable in respect of new claims arising from 27th October 2008.

Minimum Statutory Holiday Entitlement Increases

On **1st April 2009** the statutory entitlement to paid holiday increases from 24 to 28 days (pro rata for part timers).

Repeal of the Statutory Dispute Resolution Procedures

In **April 2009** the Employment Bill, which was published in December 2007, repeals the statutory dispute resolution procedures set out in the Employment Act 2002, sections 29 to 33 and Schedules 2 to 4. It also repeals the Employment Rights Act 1996, section 98A, returning the law on unfair dismissal to the position prior to the dispute resolution procedures coming into force in October 2004.

Weekly Working Time Limits for Doctors in Training Reduced

On **1st August 2009** the working time limits for doctors in training will be reduced to 48 hours as stipulated by the Working Time Regulations.

Centralised Vetting System for People Working with Children and Vulnerable Adults

On **12th October 2009** the Safeguarding Vulnerable Groups Bill will introduce a centralised vetting system for people banned from working with children and vulnerable adults. Employers will be able to make checks online, with information updated straight away when any individual is added to the list.

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Centralised Vetting System for People Working with Children and Vulnerable Adults continued...

Employers will be informed where possible if an individual becomes barred. There will be fines of up to £5,000 for employers that knowingly employ individuals on the list or fail to make the relevant checks.

Maternity Leave is extended to 12 months

In **April 2010** the Government intends to extend paid maternity leave to 12 months. This follows an extension to nine months from April 2007.

Paternity Leave and Pay is extended

In **April 2010** the Government intends to allow fathers to benefit from up to 26 weeks' paid additional paternity leave if the mother of the child returns to work before the end of the maternity leave period to which she is entitled.

Number of Years' Contribution Required to Achieve a Full Basic State Pension to be reduced

On **6th April 2010** the number of years' contribution required to achieve a full basic state pension will be reduced to 30 years for both men and women.

State Pension Age Rises to 66 Years

Between 2024 and 2026 the Pensions Act 2007 raises the state pension age from 65 to 66 years to reflect the ageing nature of the population.

State Pension Age Rises to 67 Years

Between 2034 and 2036 the Pensions Act 2007 raises the state pension age from 66 to 67 years to reflect the ageing nature of the population.

State Pension Age Rises to 68 Years

Between 2044 and 2046 the Pensions Act 2007 raises the state pension age from 67 to 68 years to reflect the ageing nature of the population.