

Chartwell

CORPORATE SOLUTIONS

EMPLOYMENT LAW TIMETABLE

1 April 2007

(Excluding the impact of case law and Employment Tribunal decisions)

2 April 2007 (Wales); 30 April 2007 (N. Ireland); 1 July (England)

Smoking will be banned in most enclosed public places and workplaces. Where smoking is banned, there will be a requirement to display no smoking signs. Smoking will only be permitted in certain workplaces where people live as well as work (for example hotels, care homes and prisons).

6 April 2007

The Information and Consultation of Employees Regulations will apply to undertakings with 100 or more employees. These Regulations currently cover undertakings with 150 or more employees.

6 April 2007

The requirement for employers to consult with employees before making any of the 'listed' changes to pension schemes will apply to undertakings with 100 or more employees. These Regulations currently cover undertakings with 150 or more employees.

6 April 2007

The right to request flexible working arrangements will be extended to employees who care for certain adults. A carer will be an employee who is or expects to be caring for an adult who:

- is married to, or the partner or civil partner of the employee; or
- is a relative of the employee; or
- falls into neither category but lives at the same address as the employee.

Relatives include parents, parents-in-law, adult children, adopted adult children, siblings (including those who are in-laws), uncles, aunts or grandparents and step-relatives.

1 October 2007

The National Minimum Wage rates will be increased. The new adult rate, for those aged 22 or more, will be £5.52 per hour. The development rate, for those aged 18 to 21 (and those aged 22 or more who are in their first 6 months of employment and receiving accredited training) will be £4.60 per hour. The rate for 16 and 17 year olds will be £3.40 per hour.

1 October 2007

Under the Working Time Regulations 1998, workers are currently entitled to four weeks' paid statutory holiday each year. The Government proposes to extend this entitlement to reflect the 8 permanent bank and public holidays in Great Britain, although there will be no statutory right to take paid holidays on an actual bank or public holiday. The new entitlement will eventually be 5.6 weeks (28 days for those working a 5 day week and pro rata for part-timers). However, the Government plans to phase in the additional holidays, with statutory entitlement increasing from 4 weeks to 4.8 weeks (24 days) from 1 October 2007 and to 5.6 weeks (28 days) from 1 October 2008.

During 2007

The Safeguarding Vulnerable Groups Bill will introduce a centralised system for vetting applicants before they are employed to work with vulnerable groups. There will be a new statutory body, the Independent Barring Board. Where there is evidence that someone presents a risk to children and/or vulnerable adults, the Board will decide whether to include him/her on a list of barred people. Information about barred people will be held on a secure, central database. Where an applicant will be working with children and/or vulnerable adults, employers will be required to make an online check prior to employment. Employers will also be required to report the dismissal of an employee, where there is evidence that he/she is a risk to children and/or vulnerable adults. Failure to make the pre-employment checks will be an offence, as will knowingly employing someone who is on the barred list.

During 2007

The Corporate Manslaughter and Corporate Homicide Bill will create a new criminal offence of corporate manslaughter (to be called corporate homicide in Scotland), when someone has been killed because senior management has grossly failed to take reasonable care for the safety of employees and others. The new law will apply to companies and other incorporated bodies, government departments and similar bodies and police forces. Corporate manslaughter will be an offence committed by organisations not individuals. It will therefore carry a penalty of an unlimited fine rather than a custodial sentence. The criminal liability of individual directors will not be affected by this legislation.

During 2007/2008

Under the Immigration, Asylum and Nationality Act, employers will be subject to fines of up to £2000 per worker for employing illegal workers. There will be a new criminal offence of knowingly employing illegal workers. Employers who commit such an offence will face a sentence of up to 2 years imprisonment and/or an unlimited fine.

6 April 2008

The Information and Consultation of Employees Regulations will apply to undertakings with 50 or more employees.

6 April 2008

The requirement for employers to consult with employees before making any of the 'listed' changes to pension schemes will apply to undertakings with 50 or more employees.

1 October 2008

Entitlement to statutory holidays will be increased to 28 days (5.6 weeks) for those working a 5 day week and pro rata for part-timers.

