



EALG

EURO-AMERICAN LAWYERS GROUP

UK: CHANGES TO EMPLOYMENT LAW - WHAT EMPLOYERS MUST KNOW

AN EURO-AMERICAN LAWYERS GROUP BRIEFING ARTICLE

PREPARED BY EALG MEMBER

BIGGART BAILLIE

GLASGOW AND EDINBURGH

SCOTLAND

Significant changes to Employment Law in the United Kingdom took effect from the 1st of October. Employers must take care to ensure that they are aware of these and take action accordingly. In addition, it's important to look to the future and be aware of what is on the horizon. The key changes are outlined below:

National Minimum Wage

The general rate for employees of 22 years and over has increased from £4.85 to £5.05; for 18 - 21 year olds, it increases from £4.10 to £4.25. However, for 16/17 year olds, the rate remains unchanged at £3 per hour.

Sex Discrimination

Amendments to the Sex Discrimination Act will finally become law after a lengthy consultation process. The key changes are:-

Indirect discrimination

Clearer guidance on indirect discrimination has been provided. The new guidelines will clarify what tests would be applied in determining whether or not apparent discrimination is or is not acceptable.

Harassment

In terms of sexual harassment, the new Regulations provide a clear definition of harassment. This definition should make it easier to allow for arguments to be framed as the legislation identifies the basis for an argument rather than having to rely on a significant volume of case law to support such arguments.



*UK: CHANGES TO EMPLOYMENT LAW
- WHAT EMPLOYERS MUST KNOW
EALG BRIEFING
OCTOBER 2005*

Pregnancy & Maternity

The new Regulations provide a specific act of discrimination relating to pregnancy or maternity leave. They specify that it is unacceptable to discriminate against a woman on grounds relating to her pregnancy or taking maternity leave.

Union Recognition & Industrial Action

New rules come into effect regarding the information which must be supplied to employers in relation to ballots for industrial action and union recognition.

Employment Tribunals

From the 1st of October, any claim raised in the Employment Tribunal or defence to an action must be in the new prescribed form.

*For further details, please contact Paul Brown, Partner, Biggart Baillie, Glasgow, Scotland;
pbrown@biggartbaillie.co.uk; <http://www.biggartbaillie.co.uk>.*