

Employment Law- Talking Points

BBLG

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solicitors

Welcome



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Talking Points

Shared
Parental Leave

Zero hours
contracts

Minimum Wage
& rates

Fit for Work

Holiday pay and
overtime



Holiday Pay and Overtime



Holiday Pay



A weeks pay for the purposes of holiday pay includes:

- Non-guaranteed overtime (*Fulton v Bear Scotland*); and
- Commission (*Lock v British Gas*) NB. This is being appealed!

Zero Hour Contracts



Zero Hour Contracts- The Statistics

CIPD Survey	Employee	Flexible/Zero hours worker
Job Satisfaction	60%	59%
Work Life Balance	58%	65%
Average hours worked	34.15	23.73
Feeling they are likely to be treated unfairly	29%	27%

47% of workers were satisfied that they had no contractual hours as opposed to **27%** who were not .

52% of workers did not want more hours compared with **38%** who did.

80% of workers reported never being penalised for not accepting work compared to **3%** who were always penalised.

Rates- 2015/2016



National Minimum Wage

National Minimum Wage

	October 2014	October 2015
Adult rate (workers 21+)	£6.50	£6.70
Development rate (workers 18-20 year olds)	£5.13	£5.30
Young Workers rate (workers under 18)	£3.79	£3.87
Apprentice Rate	£2.73	£3.30

Rates

Sickness Absence	From 6 April 2014	From 6 April 2015
Statutory Sick Pay (SSP)	£87.55 p/w	£88.45 p/w

Family Friendly Payments	From 6 April 2014	From 5 April 2015
Maternity Pay – prescribed rate (max)	£138.18 p/w	£139.58 p/w
Adoption Pay – prescribed rate (max)	£138.18 p/w	£139.58 p/w
Paternity Pay – prescribed rate (max)	£138.18 p/w	£139.58 p/w
Shared Parental Pay – prescribed rate (max)	£138.18 p/w	£139.58 p/w

Managing Sickness Absence- Fit for Work Service



- Reduces cost for employers
- Referral by employer after 4 weeks of absence or by GP
- Non- mandatory but the default position
- Referral limit- once every 12 months

Shared Parental Leave



What is changing and what is staying the same?

- Mother
 - Maternity rights retained
 - Must take 2 weeks compulsory maternity leave (at 90% of pay)

- Father/partner
 - 2 weeks ordinary paternity leave retained (not compulsory and paid at prescribed rate) NB. The right will be lost once the parents have opted in to Shared Parental Leave
 - Additional paternity leave abolished

- Key differences
 - Moving from continuous leave to a system that allows discontinuous leave
 - Leave may be taken together (both parents off at the same time)
 - Moving to complicated notification requirements and process

Questions



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