

Employment

6th April 2006

Information and Consultation of Employees (Amendment) Regulations

Relevant to: All employers with 150 or more employees

The Regulations will make a minor amendment to the Information and Consultation of Employees (ICE) Regulations. They will ensure that, in certain circumstances, employers proposing to make a listed pensions change in accordance with DWP's Pensions (Consultation of Employees) Regulations do not need to consult under the ICE Regulations as well. The Regulations will be laid early in January 2006 and will come into force in April 2006.

Further information: <http://www.dti.gov.uk/er/consultation/proposal.htm>

TUPE Regulations

Relevant to: All employers

The revision of the Transfer of Undertakings (Protection of Employment) Regulations 1981 (TUPE) will take on board amendments to the EC Acquired Rights Directive. This will provide more clarity as to whether or not the regulations apply to particular contracting-out or analogous situations.

Further information: <http://www.dti.gov.uk/er/individual/tupe-pl699.htm>

1st October 2006

Age Discrimination Legislation

Relevant to: All employers

Implementation of the age discrimination strand of the European Employment Directive, which will outlaw unjustified age discrimination in employment and vocational training. The Government consulted on draft regulations in summer 2005. The aim is to lay final regulations before Parliament in February 2006 and subject to parliamentary approval, the legislation is scheduled to come into force on 1 October 2006. Government will publish non-confidential responses in January 2006 and a full analysis of the consultation will be published when the regulations are laid before Parliament.

Further information: <http://www.dti.gov.uk/er/equality/age.htm>

Annual Revision of National Minimum Wage

Relevant to: all employers

The Low Pay Commission will present their next report to Government in February 2006. The report will review the levels of the minimum wage rates and make recommendations, if appropriate, for change on 1 October 2006.

Further information: <http://www.dti.gov.uk/er/nmw>

Employment Act 2002 (Amendment Order) 2006

Relevant to: Employers and their employees who seek to resolve a dispute at an employment tribunal

This Regulation will extend the scope of the statutory dispute resolution procedure to include a number of new areas. The areas will include Information and Consultation Representatives and representatives appointed under the Occupational Pension Schemes (Consultation by Employers) Regulations. This will ensure that employers and employees should be subject to the statutory resolution processes before any complaint to an employment tribunal may be made. DTI will consult early in 2006 and, if appropriate, any changes will be made in October 2006.

Further information: <http://www.dti.gov.uk/er/resolvingdisputes.htm>

Work and Families Legislation

Relevant to: Employers and employees

Extension of Statutory Maternity and Adoption paid leave from six to nine months will come into effect for employees where the expected week of childbirth is on or after 6 April 2007. Other legislation that will come into effect for these employees:

- Removal of qualifying criteria for Additional Maternity Leave so that all mothers will be able to take up to one year off work.
- Increase in the notice period from 28 days to eight weeks, which mothers must give to employers if they change their return dates.
- Optional 'Keeping In Touch Days' – this means that the employee has the chance to go into work to undertake training and keep in touch with major developments without losing their right to pay
- Reasonable contact - employers will have a right to make reasonable contact with their employee during maternity leave – guidance will make clear what is meant by this.
- Any day start period for Maternity Pay Period to help to align the leave with the pay period.
- Option for Statutory Maternity Pay to be paid on daily basis rather than weekly basis.

The extension of the right to request flexible working to carers of adults will come into effect from 6 April 2007. Consultation on the draft regulations on the extension of Statutory Maternity and Adoption paid leave, as well as, the extension of the right to request flexible working to carers of adults will take place early 2006.

Further information: www.dti.qsi.gov.uk/workandfamilies

Amendment to the Trade Union and Labour Relations (Consolidation) Act 1992

Relevant to: All Employers and Employees

Early in 2006 the DTI will consult on making a minor clarificatory change to the law relating to collective redundancies following the recent ECJ case of Junk v Kuhnel. The consultation will begin in January 2006 and legislation, if appropriate, will come into force in October 2006.

Further information: <http://www.dti.gov.uk/er/redundancy/consult-pl833a.htm>

For Full Information, go to the DTI Website at:

http://www.dti.gov.uk/ewt/common_comence5.htm