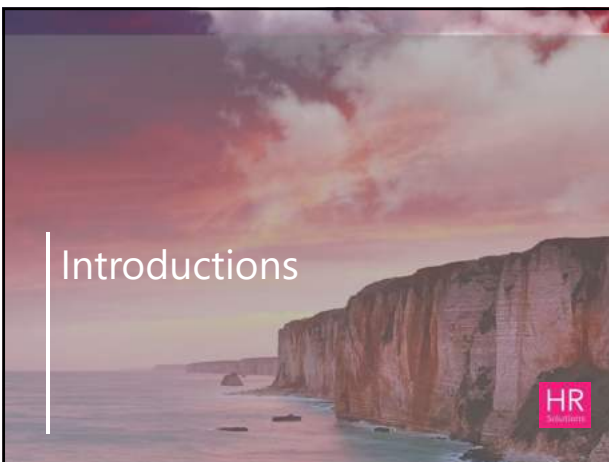




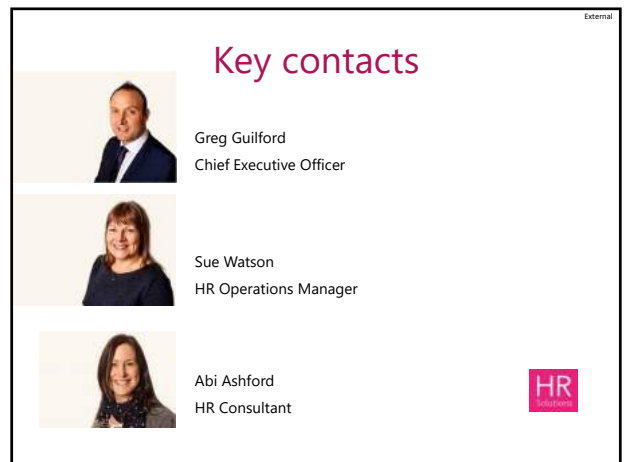
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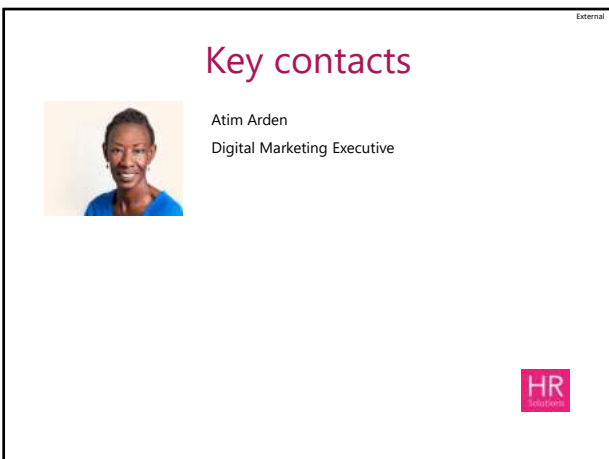
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8

GoToWebinar Housekeeping: Time for Questions

Your Participation

- Please continue to submit your text questions and comments using the Questions panel

9

GoToWebinar Housekeeping: Time for Questions

Your Participation

- Please continue to submit your text questions and comments using the Questions panel. Your hand to be unmuted for verbal questions.

10



11

Poll 1 – The audience

We thought it would be useful to understand our audience.

What is your current role:

- HR Director/ Manager
- HR Business Partner/ Advisor/ Officer
- HR Assistant
- HR Consultant
- Other (e.g. Business Owner, Line Manager, etc)

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Poll 2 – The audience

We thought it would be useful to understand our audience.

Are you also currently home schooling your children at the same time as doing your main job?

- Yes
- No

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Poll 3 – The audience

Have you been on any of our seminars or webinars before?

- Yes – Seminar
- Yes - Webinar
- No

(you can choose more than one answer)

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Employment Law Seminar 2020

- Current issues
- Interesting cases
- Future knows

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Current issues

- **Good work plan**
 - Parental bereavement leave and pay
 - Holiday pay calculations
 - Written Statements
 - Agency worker rights
 - IR35
 - ICE regulations
- Statutory rates
- Coronavirus
- VE day

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PARENTAL BEREAVEMENT LEAVE

Eligibility

- Employed parents
- Loss of a child under 18 or
- Suffer a still birth from 24 weeks of pregnancy

Leave

- 2 weeks (day one right)

Pay

- Statutory
 - 26 weeks' service
 - Lower earnings level
 - Notice given

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Holiday pay calculation change

INCREASE FROM 12 to 52 WEEKS

With effect from 6th April 2020
New Regulations amend the Working Time Regulations.

Holiday reference period to calculate an average week's pay for the purpose of holiday pay entitlement, increases from 12 to **52 weeks**.

If a worker has been employed for less than 52 weeks the reference period is the number of weeks for which they have been employed.



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Written statements

RIGHT TO A WRITTEN STATEMENT

With effect from 6th April 2020

All workers will be entitled to a **written statement**, from **day one** of employment and it will need to contain:-

- the **hours and days** of the week the worker /employee is required to work, whether they may be varied and how
- entitlements to any **paid leave**
- any other **benefits** not covered elsewhere in the written statement
- details of any **probationary period**
- details of **training** provided by the employer.



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Agency workers

SWEDISH DEROGATION MODEL ABOLISHED

With effect from 6th April 2020

The **Agency Workers (Amendment) Regulations 2019** will abolish the existing Swedish Derogation.

(Allows agency workers paid between assignments to opt out of equal pay entitlement which otherwise becomes available after a 12 weeks service qualifying period.)



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Agency workers

SWEDISH DEROGATION MODEL ABOLISHED

Key information entitlement

- Employment relationship
- Agency Ts and Cs

"Employee" agency workers will have the **right** not to be unfairly dismissed or subject to a detriment for a reason relating to these regulations




22

Poll 4 – Good Work Plan

Have you already tackled the issues from the Good Work Plan?

- Yes (all sorted)
- No (not started)
- Some




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IR35 Overview – all change!

- 17th March 2020: - Government announcement
- The reform to the off-payroll working rules (commonly known as IR35) - that would have applied for people contracting their services to large or medium-sized organisations outside the public sector - will be **delayed for one year** from 6 April 2020 until 6 April 2021.
- Care if already made IR35 determination or banned PSCs



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ICE update

CURRENT

- **Employee** right to request - **Information** and **Consultation** about organisation
- **50+** employees
- **10%** of workforce

UPDATE

- **2%** of workforce




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National Insurance Contributions

Termination payments over £30K:

Employer National Insurance Contributions will be payable on termination payments over £30,000.


Effective 6.4.2020



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Current issues

- **Good work plan**
- Parental bereavement leave and pay
- Holiday pay calculations
- Written Statements
- Agency worker rights
- IR35
- ICE regulations
- **Statutory rates**
- Coronavirus
- VE day




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NMW & other rates increases

- NI threshold up to £9,500
- NLW 6.2% increase

£8.72 workers 25+ (NLW)
£8.20 workers 21-24
£6.45 workers 18-20
£4.55 workers 16-17
£4.15 apprentice rate

Ambitious target for 2024




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NMW & other rates increases

- **2020 proposals from 6.4.20**

SSP
 £95.85 pw

SMP, SPP, SAP, SPP
 £151.20 pw



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Current issues

- **Good work plan**
- Parental bereavement leave and pay
- Holiday pay calculations
- Written Statements
- Agency worker rights
- IR35
- ICE regulations

- Statutory rates
- **Coronavirus**
- VE day

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HR guidance as of 25.03.20

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Poll 5 – Corona Virus

Have you got any employees who are self isolating?

- Yes
- No

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Poll 6 – Corona Virus

Have you been able to have your employees work from home?

- Yes – Most of them
- Yes – Some of them
- No

35



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COVID 19 Guide for Employers

- Overview where we are now
- Reducing risk in the workplace
- Employee becoming unwell at work
- Employee with suspected COVID 19
- Employee with confirmed COVID 19
- Certifying absence / Sick Pay
- Temporary closure/permanent closure - options

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Overview

UK Government on COVID 19

- Presents a significant challenge.
- Trying to suppress the spread – change of tactic
- Lockdown – could implement even stricter measures
- Concern about timing of lifting measures

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Reducing risk in the workplace

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Reducing risk in the workplace

If still in workplace

Keep everyone updated on actions being taken to reduce risks of exposure in the workplace.

Make sure there are clean places to wash hands with hot water and soap, and encourage everyone to wash their hands regularly.

Frequently clean and disinfect objects and surfaces that are touched regularly.

Ensure social distancing measures are practiced by all.

Make sure managers know how to spot symptoms of coronavirus and are clear on sick reporting and sick pay procedures.

Make sure everyone's contact numbers and emergency contact details are up to date.

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Reducing risk in the workplace

Preparation

Determine roles that could work from home and ensure those that can, take any tools home with them daily.

Note that both Google and Microsoft are giving away six month's free collaboration tools to help facilitate working from home ('Teams', 'Hangouts' etc.)

Reduce face to face meetings and replace with video conference.

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Reducing risk in the workplace

If moved to home working

- Ensure you have home working risk assessments
- Home working policy/establish ground rules
- Support for employees
 - Communication
 - Technology
 - Flexible approach to working

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Reducing risk in the workplace
Home working

- Govt encourage home working where can
- Essential companies only to continue
 - Where work cannot be undertaken at home - risk assess and take all measures to minimise employee contact
 - SOCIAL DISTANCING is paramount!

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Employee becoming unwell at work

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Becoming unwell at work
Employers response

Symptoms a person may develop in the 14 days after exposure to someone who has COVID-19 infection are cough, difficulty in breathing and fever (with more recent additions being fatigue & loss of taste/smell).

If someone becomes unwell in the workplace, the unwell person should be sent home and self-isolate (only call NHS 111 or 999 if an emergency if they are seriously ill or injured or their life is at risk). They should follow the advice to remain at home.

They should avoid touching people, surfaces and objects and be advised to cover their mouth and nose with a disposable tissue (or elbow) when they cough or sneeze and put the tissue in a bag or pocket then throw the tissue in the bin.

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Certified absence / Sick Pay

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Absent employees
CERTIFICATION

For the first seven calendar days of absence an employee can self certify.

From calendar day 8, employees need to provide a medical certificate. If evidence required those with symptoms can get Isolation Note from NHS 111 online and those who live with someone that has symptoms from the NHS website.

- Self-certify for seven days
- Isolation is recommended for 14 days
- Do not want people going to GP
- Isolation Note/be flexible

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Absent employees
SICK PAY FOR EMPLOYEES

If an employee is actually ill because of coronavirus, and they meet the SSP eligibility requirements they would be entitled to sick pay. If you are at home to care for someone in the same household because of COVID-19 and have been advised to do a household quarantine you can also claim SSP.

If you send someone home who is presenting themselves fit for work, this would be medical suspension and be on full pay.

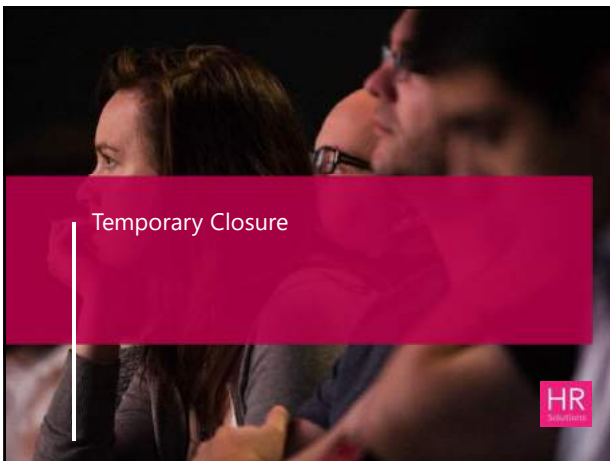
If an employee has been told to self isolate by a medical expert they will be eligible for SSP.

The Government have stated that employees would be paid Statutory Sick Pay FROM DAY ONE (previously day 4). Once legislation passed will apply retrospectively from 13 March.

Employers can claim back up to 14 days' statutory sick pay.

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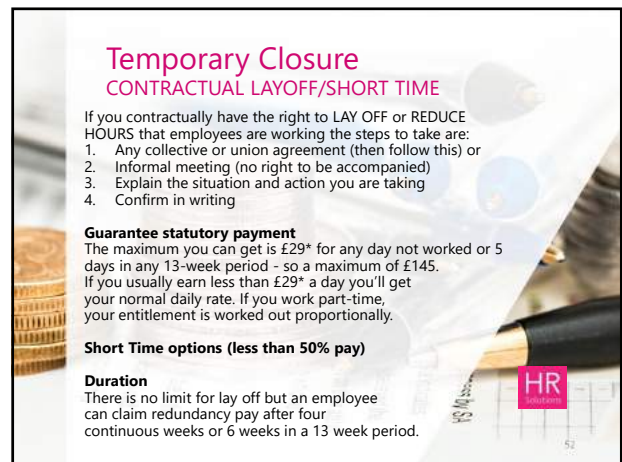
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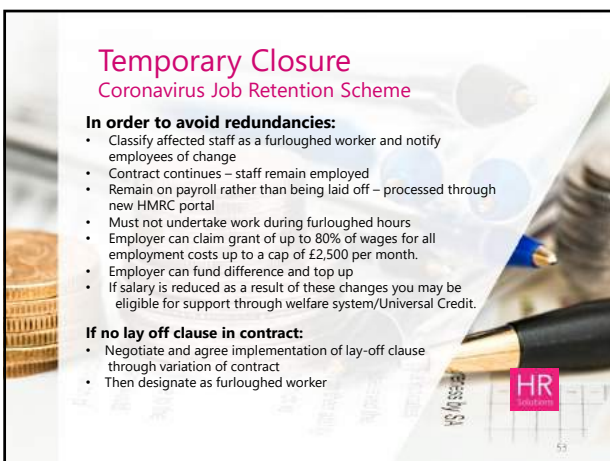
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Temporary Closure REDUNDANCY

- Short Service Employees

No statutory right to redundancy pay (but check the contracts) so may want to consider redundancy for employees with less than two years' service:

DAY ONE: Announce you are making redundancies and the reason why; at the end of the announcement, hand them a letter explaining they are at risk of redundancy and invite them into a consultation meeting on day two.

DAY TWO: Have meeting, take notes, capture in notes that they do not want the option of Lay Off and, if they don't, make decision to terminate and give notice.



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Temporary Closure REDUNDANCY

- Over Two Years' Service

Would need to follow the full Redundancy consultation process




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Poll 7 – Corona Virus

As a business have you had to:

- Furlough employees
- Make redundancies
- Lay Off employees
- Introduce Short Time Working

(you can choose more than one option)




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Current issues

- **Good work plan**
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- Coronavirus
- VE day




59

PART ONE: VE DAY

What is the change for 2020?

- Early May Bank Holiday move
- Marks the 75th anniversary of the Victory of Europe Day
- Instead of first Monday of May (4th)
- **Friday 8th May**



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PART ONE: VE DAY


What do we have to do?

- Full timers? No significant change
- Part timers – check entitlement & working patterns

Scenario: part timers

A part time employee where Monday is a “normal working day” – annual leave entitlement will increase

A part time employee where Friday is a “normal working day” – annual leave entitlement will decrease



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PART ONE: VE DAY

Actions

- ✓ Inform staff which Bank Holidays fall on which days
- ✓ Ensure employees have planned to attend May 4th
- ✓ Communicate where you need people to work on the Friday 8th May bank holiday
- ✓ Employees may want to switch already booked annual leave
- ✓ Do you have a work holiday calendar that needs updating?



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Employment Law Seminar 2020

- Current issues
- Interesting cases
- Future knows



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Interesting Cases

- Discrimination & harassment case
- Unfair dismissal case
- Data protection breaches & vicarious liability
- Employment status



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Pemberton v HMRC

- Customer Service Adviser with a disability
- Given reasonable adjustment support
- Manager said “she can become lively when there is a flare up”
- ET claim for discrimination and harassment
- Won £4,000



65

Rae v Wellhead Electrical Supplies Ltd

- MD resigned in the heat of the moment
- Was not allowed to retract his resignation
- Was not given a cooling off period
- ET claim for unfair dismissal
- Remedy to be decided



66

Various v WM Morrison Supermarkets

- Morrisons employee published employee data online
- The data included bank and payroll details
- Morrisons had sufficient data protection processes in place
- But was found vicariously liable for their "rogue" employee
- Decision awaited by The Supreme Court

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That Uber case!

- Supreme Court decision awaited in July 2020
- Whether Uber drivers are workers or self employed
- Uber drivers say they are workers & therefore entitled to worker rights
- Decision will be of major interest to those in the gig economy

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Employment Law Seminar 2020

- Current issues
- Interesting cases
- Future knows

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Future knows

- 40 new laws!
- Immigration
- Coronavirus bill update
- Brexit

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New laws

- Right for workers to request a more stable contract
- Extended redundancy protections to prevent pregnancy and maternity discrimination
- Extended leave for neonatal care
- One weeks' additional leave for unpaid carers
- The creation of a new single enforcement body to protect workers rights
- The right for workers to keep their tips in full
- Flexible working by default, unless employers have a good reason to allow this (subject to consultation).

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Immigration & Social Security Co-ordination (EU Withdrawal) Bill

Bring an **end to free movement** in UK

Adopt a new **points-based** immigration system from 2021

Protect the immigration status of **Irish citizens** after Brexit

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Future Bills

Coronavirus Bill

- Removing barriers to allow recently retired NHS staff and social workers to return to work
- Easing burden on frontline staff – reducing admin
- Containing and slowing the virus – reducing un-necessary social contacts
- Managing the deceased with dignity and respect
- Supporting people by allowing SSP from day one

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EMPLOYMENT LAW SEMINAR 2020

Brexit

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BREXIT

Impact on HR in 2020

- Data protection and GDPR
- EU Settlement scheme

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Data protection & GDPR

- Impact Brexit may have

- Rules will stay the same
- Incorporate GDPR into UK law, post Brexit

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BREXIT

Impact on HR in 2020

- Data protection and GDPR
- EU Settlement scheme

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EU Settlement Scheme

Applies to?
EU citizens and family members who want to stay post 31.12.20

Is it the same as applying for citizenship?
No.

Employer responsibility?
No legal obligation to communicate but can signpost to useful info:

<https://www.gov.uk/settled-status-eu-citizens-families/applying-for-settled-status>

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A word cloud on a dark background featuring the words 'Who', 'What', 'When', 'Where', 'How', and 'Why' in various sizes and orientations. A large pink question mark is the central focus.

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A photograph of a diverse group of people in a meeting, with one man raising his hand.

Further questions?
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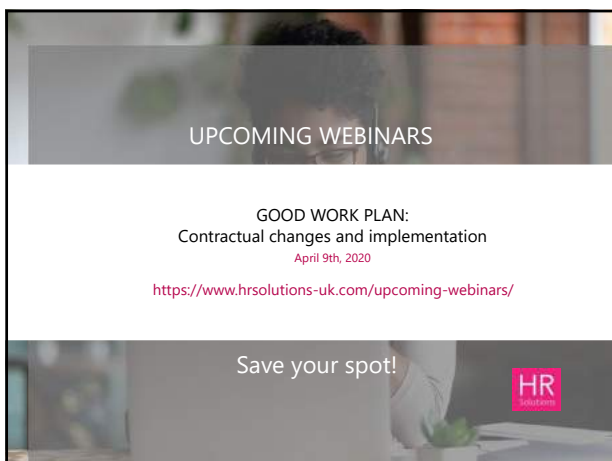
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The word 'FEEDBACK' in large, colorful, 3D block letters on a wooden surface. The letter 'D' is decorated with a floral arrangement.

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UPCOMING WEBINARS

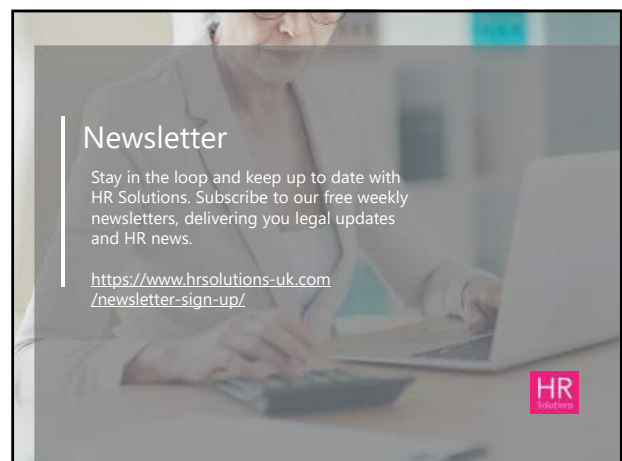
GOOD WORK PLAN:
Contractual changes and implementation
April 9th, 2020

<https://www.hrsolutions-uk.com/upcoming-webinars/>

Save your spot!

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Newsletter

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<https://www.hrsolutions-uk.com/newsletter-sign-up/>

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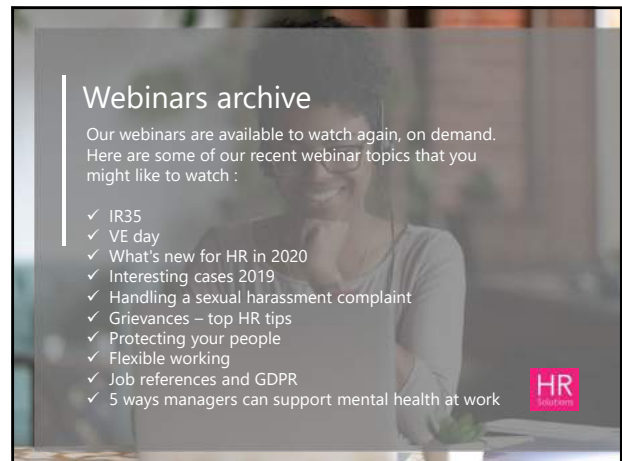
HR Risk and Compliance Audit

We have 3 online Risk and Compliance Audits; one for General HR, one for GDPR and a Brexit one. These free online risk audits will take around 15 minutes to complete and then one of our team will review your answers and provide you with a bespoke report for your organisation.

<https://www.hrsolutions-uk.com/risk-audit/>

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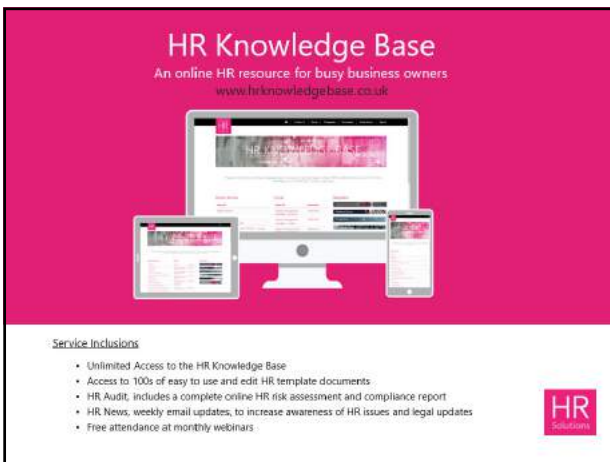
Webinars archive

Our webinars are available to watch again, on demand. Here are some of our recent webinar topics that you might like to watch :

- ✓ IR35
- ✓ VE day
- ✓ What's new for HR in 2020
- ✓ Interesting cases 2019
- ✓ Handling a sexual harassment complaint
- ✓ Grievances – top HR tips
- ✓ Protecting your people
- ✓ Flexible working
- ✓ Job references and GDPR
- ✓ 5 ways managers can support mental health at work

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HR Knowledge Base

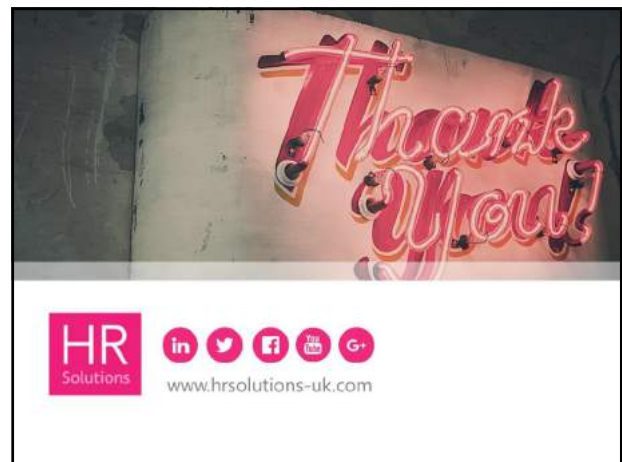
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