

Employment Law Factsheet 2022

Is your business prepared for upcoming employment legislation?

It may not have been top of your agenda so far, but now's the time to understand if any of the upcoming employment law changes will impact your business. Read on to find out what new legislation is coming and how you can make sure your business is prepared.



Changes in effect from April 2022:

1. National Minimum Wage/National Living Wage

Hourly rates for both National Minimum Wage and National Living Wage will increase on 1st April as follows:

- National Living Wage for workers aged 23 and over: £9.50
- National Minimum Wage for workers aged 21-22: £9.18
- National Minimum Wage for workers aged 18-20: £6.83
- National Minimum Wage for school leavers under 18: £4.81
- Apprentice Minimum Wage: £4.81

Several statutory pay rates including maternity, paternity, adoption, shared parental leave and parental bereavement pay will increase from £151.97 to £156.66 on 3rd April.

From 6th April, sick pay will rise from £96.35 to £99.35, and the statutory redundancy weekly cap will also increase.

2. Extra bank holiday

An additional bank holiday has been announced for Friday 3rd June to mark the Queen's Jubilee, whilst the spring bank holiday has moved to Thursday 2nd June this year, creating a long weekend.

The new bank holiday is not an automatic day off for everyone though and the wording in your employment contracts will be the decider. Some employers may like to acknowledge it as a goodwill gesture if it can work for the business. Start thinking about staffing now and prepare for an influx of leave requests from those hoping for a longer break.

3. New digital technology for right to work checks

From April 6th, government Identification Document Validation Technology (IDVT) will be available for employers' conducting checks on British and Irish citizens. An existing online service will be available for right to work checks on overseas applicants.

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Changes expected in 2022:

1. The Employment Bill

The bill was announced in 2019 but has been largely overshadowed by the pandemic. Important changes that may occur in 2022 as a result of the bill include:

- The right to request flexible working from day one.
- A right for workers to request more predictable hours after 26 weeks of continued service.
- One week of unpaid carer's leave from day one.
- A code of practice on fair and transparent distribution of gratuities will see hospitality workers gain the right to receive their tips in full.
- Extended redundancy protections for pregnant workers and those on maternity leave, adoption leave and shared parental leave.
- Neonatal leave to support parents whilst their child is under neonatal care.

Whilst the above is not an exhaustive list, it should help you to remain aware of the key HR topics that may affect your business and people management this year.

2. New duty to prevent sexual harassment

Employers already have a duty of care to protect their staff. The change due to come into effect places a duty on employers to proactively prevent sexual harassment in the workplace. A statutory code of practice is expected to be launched as a guide.

Whilst it has not yet been confirmed that this change will come into effect this year, business owners can prepare by encouraging a culture of respect and inclusivity in the workplace.

3. End to temporary adjustments on right to work checks

The temporary adjustments to right to work checks due to COVID-19 will end on 30th September 2022 (inclusive).

The following temporary changes will be in place until then:

- Checks can be carried out over video calls.
- Job applicants and existing workers can send scanned documents or a photo of documents for checks using email or a mobile app, rather than sending originals.
- Employers should use the Home Office Employer Checking Service if a prospective or existing employee cannot provide any of the accepted documents.

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If you have any questions about the upcoming changes or would like us to review your contracts, to ensure your business is HR ready, don't hesitate to get in touch.

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