



2007

1 February **Changes to statutory compensation limits**

- Limit on a week's pay for calculating the basic award for unfair dismissal and statutory redundancy pay increased from £290 to £310 per week.
- Limit on compensatory award for unfair dismissal increased from £58,400 to £60,600.

1 April **Extension of maternity rights**

New family friendly legislation applies for employees expecting babies (or due to adopt) on or after 1 April 2007. The new provisions include:

- extending paid maternity leave and adoption leave from six months to nine months;
- removing the current length of service requirement for additional maternity leave;
- introducing "keeping in touch (KIT) days" which allow a mother to attend work for up to 10 days during her maternity leave without losing her maternity benefits or bringing leave to an end. Employees who undertake, consider undertaking, or refuse to undertake such work will be protected from detriment or dismissal on those grounds;
- a clarification that employers are entitled to make "reasonable contact" with employees while they are on maternity leave;
- requiring mothers to give eight weeks' notice (rather than four weeks') if they wish to return to work early.

For further information the legislation is available at:

Work and Families Act 2006

http://www.opsi.gov.uk/acts/acts2006/ukpga_20060018_en.pdf

The Maternity and Parental Leave etc and the Paternity and Adoption Leave (Amendment) Regulations 2006

<http://www.opsi.gov.uk/si/si2006/20062014.htm>

The DTI has published guidance on the new rights, which is available at: <http://www.dti.gov.uk/employment/workandfamilies/maternity-leave-pay/guidance/page21116.html>.

The DTI has also published leaflets about the new rights. The employee version is available at: <http://www.dti.gov.uk/files/file34285.pdf> and the employer version at: <http://www.dti.gov.uk/files/file34286.pdf>

1 April **Statutory maternity, paternity and adoption pay**

The standard rate of statutory maternity, paternity and adoption pay rose from £108.85 to £112.75 per week.

2 April **Smoking ban in Wales**

Smoking in enclosed public places, including workplaces, was prohibited.

6 April **Right to request flexible working extended to carers**

The right to request flexible working will be extended to carers of adults.

The Flexible Working (Eligibility, Complaints and Remedies) (Amendment) Regulations 2006 are available at:

<http://www.opsi.gov.uk/si/si2006/20063314.htm>.

6 April **Information and consultation**

The Information and Consultation of Employees Regulations 2004 will apply to undertakings with 100 or more employees. Similarly, the Regulations requiring employers to consult with pension scheme members will be extended to cover undertakings with 100 employees or more.

6 April **Statutory sick pay**

The standard rate of statutory sick pay will rise from £70.05 to £72.25 per week.

30 April **Extension of definition of religion or belief**

The scope for bringing discrimination claims on the grounds of religion or belief will be extended when the definition is amended to include no belief, or belief which is not necessarily similar to a religious belief, e.g. philosophical belief.

Spring 2007

30 April

Smoking ban in Northern Ireland

Smoking in enclosed public spaces, including workplaces, will be prohibited.

1 July

Smoking ban in England

Smoking in enclosed public places, including workplaces, will be prohibited.

October

Commission for Equality and Human Rights

A new single Commission for Equality and Human Rights (CEHR) will be established. It will bring together the work of the Commission for Racial Equality, the Disability Rights Commission and the Equal Opportunities Commission. It will also have responsibility for the new equality areas of age, religion and belief, and sexual orientation and will work to promote human rights.

1 October

National minimum wage

The national minimum wage will increase from £5.35 to £5.52. The youth rate, which applies to 18 to 21 year olds, will increase to £4.60.

1 October

Increase in statutory minimum holiday entitlement

The Government proposes to increase statutory minimum holiday entitlement (including bank holidays) from 20 to 24 days. The proposal is to extend it further to 28 days in October 2008.

1 October

Companies Act 2006

Some of the provisions of the new Companies Act 2006 including many of those relating to directors (but not the provisions relating to directors' conflict of interest duties) will come into force.

24 October

Data protection

All remaining provisions of the Data Protection Act 1998 will come into force. Manual filing systems which were in existence before 24 October 1998 and which are sufficiently structured, will be required to comply fully with the Act.

During 2007

Corporate manslaughter

A new offence of corporate manslaughter is expected to be introduced during 2007. An organisation may be prosecuted for corporate manslaughter if a gross failing by its senior managers to take reasonable care for the safety of its workers or members of the public causes a person's death. It is proposed that the penalty would be an unlimited fine.

The Bill can be found at:

<http://www.parliament.the-stationery-office.co.uk/pa/cm200506/cmbills/220/2006220.pdf>

2008

6 April **Information and consultation**

The Information and Consultation Regulations will apply to undertakings with 50 or more employees. Similarly, the new Regulations requiring employers to consult with pension scheme members will be extended to cover undertakings with 50 employees or more.

1 October **Increase in statutory minimum holiday entitlement (Stage two)**

The Government proposes to increase statutory minimum holiday entitlement (including bank holidays) from 24 to 28 days.

1 October **Companies Act 2006**

The remaining provisions of the new Companies Act 2006 will come into force, including the provisions relating to directors' conflict of interest duties.

2009/2010

Extension of maternity, paternity and adoption rights

- Paid maternity and adoption leave to be extended from nine months to 12 months.
- The Government proposes a new right to additional paternity leave of up to 26 weeks will be introduced for employed fathers or partners (of either sex) of a mother or adopter following the birth or adoption of a child. The leave will be for the purpose of caring for a child after the mother or adopter has returned to work. People entitled to this additional paternity leave may also be entitled to additional statutory paternity pay if the mother or adopter has not taken all their SMP when they return to work.

2011

Age discrimination

The Government will conduct an evidence based review of the default retirement age of 65 to determine whether or not it is still needed.

This is the current legislative programme as at April 2007. An updated version is issued with each edition of the Employment Update.

For further information please contact Rebecca Turner, Employment Group Professional Support Lawyer (E-mail: rturner@mayerbrownrowe.com) or your regular contact in the Employment Group.

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