

## Employment Legislation Timetable

**1 February 2013**

### **Amendments to the unfair dismissal compensatory award**

The maximum compensatory award for unfair dismissals rose from £72,300 to £74,200, for those terminations taking effect on or after 1 February 2013. The maximum amount of a week's pay, used to calculate statutory redundancy pay, has also increased from £430 to £450.

**28 February 2013**

### **Repeal of mental health legislation**

Legislation has been repealed which had prevented individuals with mental health conditions from serving as company directors, MPs, members of the devolved legislatures and jurors. This includes provisions that relate to the automatic termination of a director's appointment on grounds of mental health.

**8 March 2013**

### **Revised Parental Leave Directive comes into force**

The revised Framework Directive on Parental Leave has been implemented, which increases parental leave from 13 weeks to 18 weeks.

**1 April 2013**

### **Reforms to legal aid, litigation funding and costs**

Part 2 of the Legal Aid, Sentencing and Punishment of Offenders Act has come into force. This reforms the legal aid system and makes various changes to how litigation fees and costs are recovered, including introducing regulations on conditional fee arrangements and damages based agreements.

**6 April 2013**

### **Changes to the collective redundancy rules**

The time period for collective consultation has been halved from the current 90 day period, before the first redundancy can take effect (if there are 100 or more redundancies) to 45 days. There is no change to the 30-day minimum period for 20-99 redundancies. The enacting legislation also excludes the expiry of fixed term contracts from the scope of collective redundancy consultation.

**6 April 2013**

### **Increase to the level of statutory sick pay**

Statutory sick pay has increased from £85.85 to £86.70. The weekly earnings threshold has also risen from £107 to £109.

**7 April 2013**

### **Increase to the levels of statutory maternity, paternity and adoption pay**

The rates for statutory maternity pay, statutory paternity pay and statutory adoption pay increased from £135.45 to £136.78, with the weekly earnings threshold for these payments rising from £107 to £109. Maternity allowance has also increased to £136.78 (from £135.45), with the earnings threshold remaining at £30.

<b>25 June 2013</b>	<p><b>New requirements when making qualifying disclosures under whistleblowing legislation</b></p> <p>Changes are to be introduced to the current whistleblowing legislation, so that qualifying disclosures must now be made in the public interest (in addition to the worker making the disclosure having a reasonable belief).</p>
<b>25 June 2013</b>	<p><b>Unfair dismissal for political opinions or affiliations</b></p> <p>The two year qualifying period for unfair dismissal, where the main reason for dismissal is the employee's political opinions or affiliations, will be removed.</p>
<b>25 June 2013</b>	<p><b>Caste discrimination</b></p> <p>The Equality Act has been amended to the extent that the Government must put forward legislation to outlaw caste discrimination.</p>
<b>July 2013</b>	<p><b>Two-stage fee charging structure in the employment tribunal</b></p> <p>A new two-stage charging structure is expected to come into force in the summer. Claimants will need to pay an 'issue fee' when they submit their claim or appeal, followed by a 'hearing fee' prior to a hearing. The amount of each fee will depend on the type of claim, with remissions available for claimants who cannot afford the fees.</p>
<b>Summer 2013</b>	<p><b>Proposals for reforming the Employment Tribunal Rules</b></p> <p>The Government has conducted a review of the current Employment Tribunal Rules, with the aim of simplifying the rules ensuring that they provide a framework to manage cases flexibly, efficiently, proportionately and where possible, consistently. It had been expected that these changes would come into force in April 2013, though new rules are now due to be published in May 2013.</p>
<b>Summer 2013</b>	<p><b>DBS checks are to become 'portable'</b></p> <p>Disclosure and Barring Service checks (formerly CRB checks) are to become portable between employers, following the enactment of the Protection of Freedoms Act 2012. The Government has made provisions for these portable DBS checks to be available from Summer 2013.</p>
<b>1 September 2013</b>	<p><b>Employee-shareholder contracts to be introduced</b></p> <p>The Government is introducing a new type of employment contract, under which employees will be given shares in exchange for waiving certain employment rights. Following a series of concessions, the Government will now introduce this new employment status from the start of September.</p>
<b>October 2013</b>	<p><b>BIS proposes changes to the Companies Act 2006 to promote transparency in gender balance</b></p> <p>New Regulations will make it a requirement for companies to produce a standalone, strategic report for each financial year, separate from the directors' report, including a requirement for quoted companies to state the gender split for directors, managers and employees.</p>

<b>October 2013</b>	<p><b>Removal of third-party harassment and discrimination questionnaire provisions from the Equality Act 2010</b></p> <p>The Government will repeal the third-party harassment and statutory discrimination questionnaire provisions of the Equality Act - the aim being to reduce red-tape for businesses. The Government have stated that these changes will come into force in either October 2013 or April 2014.</p>
<b>October 2013</b>	<p><b>Amendments to unfair dismissal and settlement agreements</b></p> <p>The Enterprise and Regulatory Reform Act 2013 contains provisions that will result in pre-termination negotiations being inadmissible in unfair dismissal claims. The Bill also provides for compromise agreements to be re-named “settlement agreements”. It is anticipated that these changes will be introduced in October 2013 or April 2014.</p>
<b>October 2013</b>	<p><b>Proposal to change TUPE Regulations</b></p> <p>The Government is consulting on several changes to the TUPE Regulations, the most significant of which is the repeal of the regulations relating to “service provision changes”. The aim is to try and avoid uncertainty as to when TUPE applies in such cases.</p>
<b>1 October 2013</b>	<p><b>Enhanced shareholder rights and directors’ duties</b></p> <p>The Enterprise and Regulatory Reform Act 2013 will introduce changes to the way in which quoted companies’ disclose directors’ remuneration and provides provision for shareholder approval of company directors’ remuneration reports. This implementation date is subject to confirmation.</p>
<b>1 October 2013</b>	<p><b>National minimum wage to rise</b></p> <p>The national minimum wage will rise at all levels. The standard adult rate will increase to £6.31 an hour (from £6.19), the development rate will rise to £5.03 an hour (from £4.98), the young workers rate will rise to £3.72 an hour (from £3.72) and the rate for apprentices will rise to £2.68 an hour (from £2.65).</p>
<b>1 October 2013</b>	<p><b>TUPE regulations for interaction with auto-enrolment</b></p> <p>New Regulations are due to come into force in relation to the way in which TUPE interacts with auto-enrolment. A transferee will now be able to satisfy its obligations by paying contributions equal to those paid by the transferor immediately before the transfer, instead of matching employees’ contributions.</p>
<b>2013/2014 tax year</b>	<p><b>Further decrease in corporation tax, decrease in top rate of tax on earnings and rise in personal allowance</b></p> <p>The main rate of corporation tax rate is to be reduced to 23%. The top rate of tax on earnings over £150,000 will be reduced from 50% to 45%. For 2013-14, the personal allowance will be raised by a further £1,335 to £9,440.</p>
<b>By end of 2014</b>	<p><b>Steps to reform health and safety regulations</b></p> <p>The Government intends to implement the key recommendations from a review of health and safety legislation by the end of 2014. These will include a consolidation of existing health and safety regulations, the deregulation of most self-employed people, and a review of strict liability in PI claims.</p>

**2014**

**Extension of the right to request flexible working**

Following the Government's *Consultation on the Modern Workplace*, the Government intends to proceed with its decision to extend the right to request flexible working. The right will become available to all employees from 2014, provided they have 26 weeks' continuous service and is limited to one request in any 12 month period.

**April 2014**

**Early conciliation to be required before claim can be made**

Acas will introduce its new mandatory early conciliation process. The new system will be brought into force under provisions contained in the Enterprise and Regulatory Reform Act.

**2015**

**'Flexible' maternity and paternity leave is expected to be introduced**

Changes will be made to maternity and paternity leave to give parents more flexibility as to when they take time off. Amongst other changes, parents will be able to share 50 of 52 weeks of statutory maternity leave and 37 of 39 weeks statutory maternity pay. As long as these limits are not exceeded, leave can be take concurrently or at the same time.

**April 2016**

**Minimum pay threshold for migrants wanting to settle in the UK**

The Government plans to introduce a minimum pay threshold of £35,000 a year for skilled workers under the Tier 2 (general) and Tier 2 (sportsperson) immigration routes who want to settle in the UK.

**April 2016**

**Equalisation of state pension age for women**

The state pension age for women will be equalised with the state pension age for men between 2018 and 2010. The equalisation timetable for women will be expedited from April 2016 in order to account for this change.

**December 2018**

**State pension age rises to 66 years**

The Pensions Act 2007 raises the state pension age from 65 to 66 years to reflect the ageing nature of the population. The rise in the state pension age to 66 for men and women begins gradually from December 2018 until October 2020.

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