

## Employment Legislation Timetable

2010

- 19 JANUARY      **DIRECTORS' HEALTH AND SAFETY DUTIES**  
Private members' bill seeking to impose health and safety duties on directors had its first reading in the House of Commons. The bill is set for a second reading on 23 April 2010.
- 1 FEBRUARY      **DECREASE IN MAXIMUM UNFAIR DISMISSAL COMPENSATORY AWARD**  
The maximum award for unfair dismissals with an effective date of termination on or after 1 February 2010 went down to £65,300 due to a drop in RPI.
- 2 MARCH      **BLACKLISTING OF TRADES UNIONS**  
Provision rendering it unlawful to compile, use, sell or supply "prohibited lists", subject to certain exemptions. There will be new rights for workers not to be subjected to detriment or dismissal for a reason connected to a prohibited list.
- MARCH      **INCREASE IN MINIMUM PERIOD OF PAID MATERNITY LEAVE**  
The European Commission proposal to amend the Pregnant Workers Directive to increase the minimum period of paid maternity leave to 20 weeks and compulsory maternity leave to 6 weeks will be presented before the European Parliament.
- 6 APRIL      **RIGHT TO REQUEST TIME OFF TO UNDERTAKE TRAINING**  
New right for employees (in organisations with 250 or more employees) to request unpaid time off work to undertake study or training to improve their effectiveness at work and the performance of their employer's business. The procedure will mirror that used for flexible working requests, with employers able to refuse requests for acceptable business reasons.
- 6 APRIL      **WHISTLEBLOWERS**  
The Employment Tribunals (Constitution and Rules of Procedure) (Amendment) Regulations 2010 No. 131 will endow employment tribunals with the power to send details of whistleblowing claims direct to a prescribed regulator where the claimant has given express consent in its ET1 form.
- 6 APRIL      **PATERNITY LEAVE**  
Additional paternity leave of up to 26 weeks will be available, some of which will be transferable from the mother to the father, for parents of babies born (and adoptive parents notified of a match) on or after 3 April 2011. The purpose of the leave will be to care for the child after the mother or adopter has returned to work.
- 6 APRIL      **NEW GP MEDICAL CERTIFICATES: "FIT NOTES"**  
The new "fit note" to be used by GPs is intended to focus minds on what can be done to assist a return to work and prompt useful discussions between GP and employer and employee to further this aim. The GP will be required to complete a tick-box section to confirm whether they consider a phased return to work, altered hours, amended duties and/or workplace adaptations would enable the employee to return to work.

## OCTOBER

### EQUALITY BILL

The Equality Bill is expected to receive Royal Assent this Spring and come into force in October 2010. The Bill will replace existing discrimination legislation with one single act in order to harmonise and strengthen the existing law. The measures introduced by the Bill will include:

- Extend the concept of positive action to allow employers to recruit or promote someone from an under-represented group but only where they have a choice between two or more equally suitable candidates.
- Remove the requirement for a comparator in victimisation cases.
- Introduce hypothetical comparators for gender pay discrimination claims.
- Make employers explicitly liable, in some cases, for harassment by third parties in the workplace.

## In 2011

### 1 OCTOBER

#### AGENCY WORKERS DIRECTIVE

After 12 weeks in the same role, agency workers will be entitled to basic working and employment conditions that are no less favourable than those of employees recruited directly by the hirer.

- From the start of an assignment, agency workers will be entitled to equal access to on-site facilities and information on permanent employment vacancies.

## 2012

### 1 OCTOBER

#### PENSIONS

Implementation of the Pensions Act 2008. Employers will be required to automatically enrol “jobholders” into a pension scheme (either the company’s own qualifying scheme or a personal accounts scheme) and make minimum contributions, though jobholders will be free to opt out of the scheme once they have been enrolled.

The stakeholder pension requirements will be abolished.

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