

EMPLOYMENT UPDATE

OCTOBER 2007

National Minimum Wage

From 1st October 2007, the national minimum wage for adult workers aged 22 and over increased from £5.35 to £5.52. The development rates for 18-21 year olds and 16-17 year olds also increased proportionately. The national minimum wage has risen by 53% since its introduction in 1999, significantly outstripping the average earnings growth of 38.8%. A spokesman for the Confederation of British Industry (CBI) said 'This year's increase makes our minimum wage the third highest in the world' and called for only a modest increase in 2008.

Meanwhile the owner of a children's nursery was fined in the first National Minimum Wage criminal prosecution after pleading guilty to a charge of obstruction when she refused to let HM Revenue & Customs staff see her records to check how much she was paying her staff.

Extra holiday entitlement

From 1st October 2007 worker's minimum holiday entitlement rose from 20 days per year including bank holidays to 24 days including bank holidays. From 1st October 2009 holiday entitlement will rise from 24 to 28 days including bank holidays. For more information visit the website at www.berr.gov.uk/employment/holidays

Information & Consultation Regulations (ICE)

The ICE regulations came into force in April 2005 and currently apply to employers with at least 100 employees. From April 2008 they will extend to employers with at least 50 employees. The regulations require employers to consult with employees to keep them informed on a wide range of issues. Earlier this year a tribunal found Macmillan Publishers guilty of failing to arrange a ballot to elect information and consultation representatives following an employee request under the regulations. They were fined £55,000 and the tribunal decision stated, "Employers must recognise that these are important rights conferred on workers. We think it appropriate, in fixing this penalty, to stipulate a sum, which, within the limits imposed by the legislation, will deter others from adopting what, can only be described as the wholly cavalier attitude to their obligations that has been demonstrated by this company."

It makes good sense to seize the opportunity to set up a forum to satisfy these regulations and which could also serve the dual purpose of providing a platform upon which to satisfy the requirements to consult with employees on health and safety issues. If you would like further advice on how this could benefit your business, contact Cope Safety Management Limited.

Internet Policy

Recent reports in the press about employee's widespread use during working hours of social networking sites such as Facebook and MySpace prompted a response from the TUC that a total ban on the use of such websites was an over-reaction. But just where do you draw the line on private use of the internet during working hours?

A survey by Fish4jobs revealed British productivity falls to its lowest point at 3.15pm on a Tuesday as workers go online to hunt for a new job. Each job hunter spends an average of 8 minutes and 37 seconds each time they are logged on site, and are likely to return to the site numerous times that day. Workers admit to concealing online searches by having an important document loaded in the corner of their screen in case the boss comes past!

In order to prevent mis-use of the internet you must have an internet policy that is clearly communicated to all staff. The policy should explain the business reasons for needing a policy, what the policy is on the use of internet facilities during working hours and how any breach of the policy will be dealt with. If you would like a sample internet policy, please contact Cope Safety Management Limited.

Equality & Human Rights Commission (EHRC)

The new commission opened on 1st October 2007 and is working to eliminate discrimination, reduce inequality, protect human rights and to build good relations, ensuring that everyone has a fair chance to participate in society. This new commission brings together the work of the now disbanded Equal Opportunities Commission, the Commission for Racial Equality and the Disability Rights Commission. Visit the website at www.equalityhumanrights.com

For further information on these and other issues, please speak to one of our advisors, call our offices or visit our website (www.jwcope.co.uk).