



Employment Law Updates

2024



The following comes into effect on
1st April 2024

National Minimum Wage

The following hourly rates are for the National Living Wage (those age 23 and over) and the National Minimum Wage (those of at least school leaving age).

From April 2024 workers aged 21 and over will be entitled to the National Living Wage.

Apprentices are entitled to the minimum wage for their age if they are either 19+ or have completed the first year of their apprenticeship.

	23 and over	21 to 22	18 to 20	Under 18	Apprentice
April 2023 (Current)	£10.42	£10.18	£7.49	£5.28	£5.28
April 2024	£11.44	£11.44	£8.60	£6.40	£6.40
Increase	£1.02	£1.26	£1.11	£1.12	£1.12

Proposed changes to statutory rates

	Current (per week)	6th April 2024 (per week)
Statutory Sick Pay (SSP)	£109.40	£116.75
Maternity Pay (SMP)	<ul style="list-style-type: none"> 1st 6 weeks - 90% of the employees average weekly earnings. 33 weeks - £172.48 (or 90% of the employees average weekly earnings if this is less than the statutory rate) 	<ul style="list-style-type: none"> 1st 6 weeks - 90% of the employees average weekly earnings. 33 weeks - £184.03 (or 90% of the employees average weekly earnings if this is less than the statutory rate)
Adoption Pay (SAP)		
Paternity Pay (SPP)	£172.48	£184.03
Shared Parental Leave Pay (ShPP)	(or 90% of the employees average weekly earnings if this is less than the statutory rate)	(or 90% of the employees average weekly earnings if this is less than the statutory rate)
Parental Bereavement Leave (SPBP)		

The following comes into force on
6th April 2024

Flexible Working

The right to request flexible working will become a “day one” right, removing the current requirement for employees to have at least 26 weeks service to make a request.

Other new rules will be coming in around flexible working requests, although it is still to be confirmed when these will take effect. The new rules will mean that employees will be able to make 2 requests for flexible working in a year.

They will also no longer need to explain the effect they think the proposed change will have on the business.

When this comes into effect businesses will have a legal obligation to consult with employees about their requests and make a decision about any request within two months of receiving the request.

The reasons for refusing a flexible working request will stay the same.

Statutory carer’s leave

This gives employees the right to take statutory carer’s leave. This will be a right that eligible employees have from their first day of employment.

Employees will qualify for statutory carer’s leave if they care for a dependent with a long-term care need. If any employees are eligible, they will be able to take a max. of one-week unpaid leave per year to look after someone who relies on them for care.

Employees will be able to take carer’s leave flexibly but will have to give a minimum amount of notice which will be either double the amount of time they’ve requested to take or three days - whichever is longest.

Employers are not able to refuse a request for carers leave but are able to postpone if the leave would seriously disrupt business operations.

Paternity Leave

For children born on or after 6th April 2024.

Fathers and partners will be able to:

- Take their paternity leave in non-consecutive blocks.
- Take their paternity leave and pay at any point in the first year after the birth or adoption of their child.
- Give only 4 weeks notice prior to each period of leave.

Calculating holiday pay and leave

For leave years starting on or after April 2024

It has been confirmed that businesses will now be able to provide rolled-up holiday pay again. This will only be for employees who work irregular hours, e.g. zero-hour and part-year workers.

This means that you will be able to calculate annual leave for irregular hour employees using the 12.07% accrual method which was previously banned.

Extended legal protection from redundancy for pregnant employees

Currently, employees on maternity leave have more rights and protection against redundancy than other employees and this is going to be extended to pregnant employees. This will start from the moment that they tell work about

their pregnancy until up to 18 months after the birth of their child. This means that if you were making redundancies you would need to consider pregnant employees for suitable alternative roles before other employees.

The following come into effect in **July 2024**

A ban on withholding tips from workers

One for the hospitality industry. When this law takes effect you will not be able to keep any money employees receive as tips. You will also need to have a written policy which states how you intend to fairly allocate tips to workers.

TUPE

- Businesses with fewer than 50 employees will be able to consult directly with employees
- Business of any size will be able to consult directly with employees where a transfer of fewer than 10 employees is proposed
- Only if no existing employee representative in place

Expected in **October 2024**

A pro-active duty to prevent sexual harassment at work

Employers will need to take reasonable steps to help prevent sexual harassment in work.

Currently you are legally liable if an employee makes a claim for harassment and you can't show that you did anything to prevent it. This new law means that you could face a legal claim if your business

does not take active steps to prevent harassment and this is whether an incident has happened or not.

If you can't prove that you have taken steps, even if there is no claim or allegation against you there could be hefty fines, which tribunals will have a right to increase by up to 25%.

Expected in **September 2024**

A right to request a more predictable working pattern

Workers with unstable or unpredictable working hours will have a legal right to ask for more predictable working patterns. This includes zero-hours workers, agency workers and those on fixed-term contracts lasting less than a year.

Employees will be able to make two applications in any 12-month period and those with a fixed term contract will be able to request the term is extended so

that the contract is longer than 12 months or becomes permanent.

Requests will need to be dealt with in a reasonable manner and employees will need to be notified of the decision within one month.

Employers will be able to refuse application on a number of specified grounds.

Statutory neonatal care leave

This is expected to come into effect in October 2024a and will mean that employees who have babies in neonatal care will be able to have more time off on top of any maternity or paternity leave they are entitled to.

Employees will be able to get a maximum of 12 weeks neonatal leave and if they are eligible this will be paid (at the same rate you would pay for maternity pay).



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