

EMPLOYMENT UPDATE

EMPLOYMENT LAW CHANGES TO TAKE EFFECT IN APRIL 2011

There are several employment law changes to take effect in April 2011 including the following:

- **Abolition of the default retirement age** – the default retirement age of 65 will be abolished with effect from 6 April 2011, subject to transitional provisions. See the previous update for further details.
- **Additional paternity pay and leave** – employees (usually fathers) of babies born on or after 3 April 2011 will be entitled to take additional paternity leave of up to 26 weeks (in addition to the current two weeks "ordinary" paternity leave), if the mother (or primary adopter) returns to work early.
- **Increase in the statutory rates** – the following statutory rates are due to increase in April 2011:
 - Statutory maternity, paternity and adoption pay and maternity allowance will increase from £124.88 per week to **£128.73** per week;
 - Statutory sick pay will increase from £79.15 per week to **£81.60** per week.
- **Equality Act 2010: positive action** – the government has confirmed that the provisions relating to positive action in recruitment and promotion will be permissible from 6 April 2011. It is important to note that these provisions are entirely voluntary and therefore organisations do not have to follow them.
- **Bribery Act deferred** – the Bribery Act 2010, which creates several new offences carrying a maximum penalty of 10 years' imprisonment or an unlimited fine, will not now be implemented in April 2011 as expected. It has been put on hold until after the final guidance on the Act has been published.
- **Time off for training on hold** – the right for employees to request time off to undertake study or training applies to employers with 250 or more employees. This right will not be extended to all employees, regardless of the size of their employer, as was previously intended.
- **Extension of flexible working** – the government has very recently decided against extending the right to request flexible working to parents with children under 18 years old. The law in this area will therefore remain unchanged and will apply to parents with children under 17 (or children under 18 if disabled).

If you would like to receive further information on this update or if you would like to unsubscribe, please contact Elizabeth Pollock by email at eep@brookenorth.co.uk or by telephone on 0113 297 9000.
You should not act upon the matters referred to in these updates without first seeking specific advice.