

Employment Law News for employers – Winter 2017/18

**Employment Tribunal Fees**



All fees payable to the Tribunal by a Claimant have been abolished. We could notice therefore an increase in claims being brought by workers/employees to Employment Tribunals. Those that incurred fees, since July 2013 when the fee regime was in place, are entitled to be reimbursed, with interest. If you were an employer that had to pay a fee (for example for a breach of contract claim) this reimbursement applies to you, also.

**Apprenticeships**



A new survey has revealed that apprenticeships are growing at a faster rate than graduate roles. A survey undertaken by the Institute of Student Employers showed that in 2016-2017 employers hired 11,016 apprentices, a 19% increase on the previous year.

[j.carpenter@adams-harrison.co.uk](mailto:j.carpenter@adams-harrison.co.uk)  
[www.adams-harrison.co.uk](http://www.adams-harrison.co.uk)



Follow us on Twitter for updates

**Parental Bereavement Leave Bill**

An implementation date has yet to be determined for this proposed bill. However, if implemented the bill will give parents who have lost a child the right to two weeks' paid statutory bereavement leave of £139.58 per week or 90% of a week's earnings, whichever is lower.



**Sexual harassment in the workplace**

ACAS has published new guidance on sexual harassment in the work place and the steps employers can take to minimize the occurrence of it. The guidance is available on ACAS' website at [www.acas.org.uk](http://www.acas.org.uk). The guidance gives examples of incidents that could be construed to be sexual harassment, for example: the display of explicit images, sexual innuendo, unwanted touching or questions about a colleague's sexual activity.

**Key employment announcements from the Budget**



The government will increase the national minimum wage from April 2018 to the following rates:-

- Apprentices: £3.70 per hour
- 16-17 year olds: £4.20 per hour
- 18-20 year olds: £5.90 per hour
- 21-24 year olds: £7.38 per hour

The National Living wage for those aged over 25 years will increase from £7.50 per hour to £7.83 per hour.

The tax free personal allowance will rise from £11,500 to £11,850 in April 2018. The higher rate tax threshold will rise to £46,350.

### Settlement Agreements

These are becoming more common place than ever on the termination of an employee's employment. They provide certainty for both employer and employee, as well as peace of mind that there will be no litigation to contend with. Under S.111A of the Employment Rights Act 1996 an employer is entitled to approach an employee with a view to discuss possible terms for the termination of employment under a Settlement Agreement on a confidential and without prejudice basis. We recommend you seek our advice if you are considering this step with an employee.

The government is consulting on changes to termination payments, under Settlement Agreement terms, which will see any payments in lieu of notice to be subject to tax and national insurance deductions regardless of the precise provisions in the contract of employment.

**We have offices in Saffron Walden,  
Haverhill and Sawston.**

**Tel: 01799 523441**

[j.carpenter@adams-harrison.co.uk](mailto:j.carpenter@adams-harrison.co.uk)  
[www.adams-harrison.co.uk](http://www.adams-harrison.co.uk)



Follow us on Twitter for updates

### Employment status



The government plan to publish a discussion paper to explore reform for employment status tests to be established. This should assist in making the position clearer regarding whether a worker is an employee, or not. The recent decision against London minicab firm Addison Lee demonstrates that there is a criticism of companies like this that engage workers on a self employed basis to deprive them of basic employment rights.

It is important that you are clear on what basis you are engaging someone to work for you and the circumstances in which employment status will be implied. We can provide comprehensive advice regarding this.



Jennifer Carpenter is our employment law specialist. She has been practicing as a solicitor for over 15 years and is managing partner of the firm. She has extensive experience advising and representing employers and employees in a wide range of situations. Jennifer has the skills required to advise, negotiate and represent clients at Employment Tribunal hearings. There are some companies and businesses that have instructed Jennifer time and again. She prides herself on achieving a swift resolution to issues and disputes for her clients.