

# AdviserPlus HR

## Employment Law Update June 2019

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### Mid-Year Round Up

Recap of the legislation which has been introduced or amended in 2019 to date.

#### ➤ National Minimum Wage Increases

The National minimum wage increased for the following age brackets as follows:

**25+ = £7.83 - £8.21 p/h**  
**21 – 24 = £7.38 to £7.70 p/h**  
**18 – 20 = £5.90 to £6.15 p/h**  
**16 – 17 = £4.20 to £4.35 p/h**  
**Apprentice rates = £3.70 to £3.90**

The accommodation offset increases from £7.00 to £7.55 per day.

#### ➤ Flexible working introduced for armed forces

Part time working allows armed forces personnel to agree days on which they are not required to be available for active service

Service on a restricted separation basis' enables restrictions to be placed on the number of days on which personnel can be required to perform duties away from a specified place. The two types of flexible working are known collectively as 'flexible service'.

#### ➤ Maximum penalty for aggravated breach increases to £20,000

Draft of Employment Rights Regulations 2019 increased the maximum penalty that an employment tribunal can order for an aggravated breach of a worker's rights from £5,000 to £20,000

#### ➤ Requirement for payslips to state hours worked where pay varies

The Employment Rights Act 1996 (Itemised Pay Statement) Order 2018 requires that, where an employee's pay varies based upon the hours worked, the payslip includes the number of hours for which the employee is being paid. The change was introduced to make it easier for hourly paid staff to ensure that they are paid correctly and to address under payments.

The draft Employment Rights Act 1996 (itemised pay statement) (No.2) order 2018 extends the right to an itemised pay statement to workers.

#### ➤ Statutory sick pay rises

The rate of statutory sick pay increases from £92.05 to £94.25 per week.

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## ➤ Temporary transitional rules introduced for EU citizens

Temporary transitional rules introduced for the period between 30 March 2019 and 31 December 2020 which mean EU citizens may stay for up to 3 months without a visa and are permitted to study/work. Those wanting to stay longer will be able to apply for a non-extendable three-year visa which will permit study/work.

After the transition period, all visa applications will fall under the new skills-based immigration system which is planned to take effect from 1 January 2021 and will be applied equally to EU and non-EU nationals.

## ➤ Injury to feelings (Vento bands) increase

The Government announced that the compensation a tribunal can award for injury to feelings in discrimination cases – known as the Vento bands – will increase in line with the retail price index. The most serious cases (upper band) will attract an award between £26,300 to £44,000.

Cases that do not merit an award in the upper banding will attract compensation ranging from £8,800 - £26,300. The level of compensation in less serious cases will range from £900 to £8,800. Awards in excess of £44,000 will be awarded only in the most exceptional cases