



Bulletin 216

28 November 2011

STOP PRESS: GOVERNMENT ANNOUNCES EMPLOYMENT LAW REFORMS

Business Secretary Vince Cable last week announced the Government's proposals to overhaul employment law. These plans come as part of schemes to foster economic growth, cut unnecessary demands on business, and give businesses the confidence to create new jobs. Vince Cable has emphatically stressed that they are not designed to introduce a 'hire and fire' culture and that the Government is continuing to safeguard workers' rights.

Main proposals:

- Obligation to submit complaints to ACAS before they can be logged with the Tribunal so that there can be an attempt at mediation.
- The unfair dismissal qualifying period to be increased from one to two years.
- Employment judges to sit alone in unfair dismissal cases.
- Consultation in 2012 on the introduction of "protected conversations" which supposedly enable employers and employees to have full and frank conversations without the fear that they will be used against them in a Tribunal.
- Consultation on simplifying compromise agreements.
- Amendment to s147 of the Equality Act 2010 to clarify that compromise agreements can be used to settle discrimination claims.
- Option for a "Rapid Resolution" scheme to enable straightforward claims to be settled within three months.
- Fees for lodging a Tribunal claim.
- Preventing employees from whistle-blowing in relation to breaches of their own employment contract.
- A call for evidence, with a view to consultation, on the introduction of compensated no-fault dismissal for micro firms (businesses with ten or fewer employees).
- A call for evidence, with a view to consultation, on reducing the minimum period for redundancy consultation to 60, 45 or 30 days.
- A call for evidence, with a view to consultation, on simplifying the Transfer of Undertakings (Protection of Employment) rules.
- CRB checks to be portable.
- Modernisation of maternity and paternity leave, with emphasis on a greater involvement for fathers.

If you require any specific advice in connection with the material contained in this bulletin, or on any other Employment Law issues, please contact: Paul Chamberlain in Manchester on 0161 836 8864, Andrew Cross in Liverpool on 0151 600 3062 or Kevin James in Preston on 01772 229847.

If you no longer wish to receive the bulletin please let us know by return e-mail to Liz.Fox@brabnerscs.com
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