

EMPLOYMENT LAW UPDATE

15 March 2012 – Manchester | 21 March 2012 – London

One Day Programme 9.30 – 16.30

This one day course will give delegates an overview of the most recent developments in employment legislation as well as preparing them for imminent changes.

Employers and HR professionals must have a full understanding of the law governing employment issues.

Employment law is continually changing and there are always legislative changes on the horizon.

In addition to the important of being aware of the legislative changes, it is essential to have an understanding of some of the influential cases that are going through the courts as the outcome of these can often see the legislation being interpreted very differently.

PROGRAMME

9.30 – Introduction

The Equality Act – one year on

- 1 October 2010 – Majority of provisions in force
- April 2011 – Public sector single duty and positive action in recruitment and promotion in force, default retirement age abolished
- 1 May 2011 – New disability guidance in force
- 14 September 2011 – voluntary framework on gender pay reporting
- The future?

Age Discrimination Update

- Key case law update
- The new law on 'unfair dismissal' now that retirement will rarely be permitted
- ACAS guidance on age discrimination and managing capability: applying this in practice
- Performance management
- The greater risk of age discrimination claims as managers deal with an older workforce
- Establishing new benefits structures

Agency Workers Regulations 2010

- In force 1 October 2011 – New agency worker rights
- Definitions – temp, casual, worker, employee

- Equal treatment principle
- The 12 week qualifying period
- Use of comparators
- Pay and benefits
- Access to facilities
- Penalties for non-compliance
- Problem areas

Bribery Act 2010

- Impact of the Bribery Act 2010
 - Updating policies
 - Process Investigation and records
 - External disclosure
 - Key case law on Whistleblowing
- Section 1 – paying, offering promising a bribe
- Section 2 – receiving, soliciting, agreeing to receive a bribe
- Section 6 – bribing a foreign public official
- Section 7 – failure by a commercial organisation to prevent bribery

Penalties

- Individuals: up to 10 years' imprisonment and/or unlimited fine
- Corporates: unlimited fine

Update on family friendly rights

- Overview of the relevant legislation

- Changes to paternity leave and pay

– What it means for employers in practice

– Impact on maternity leave

- Parental and dependant leave

- Changes to flexible working

Social Media

- Update on developments in use of social media in the workplace
- A social media policy and best practice
- Should you amend your contract and disciplinary policy
- Key cases and the tribunal approach

Trade Unions/Industrial Action

- Recent developments in industrial action cases
- Understanding strikes and action short of a strike
- Sympathetic action and secondary action – any exceptions
- Practical tips on managing the relationship
- Controlling adverse social media campaigns

Case law update

- We will look at the key decisions of the last 12 months and the impact on the workplace and employment rights including

– Holiday, sickness annual leave and pay

Tapere v South London and Maudsley NHS Trust – TUPE and ETO reasons
Oakland v Wellswood (Yorkshire) Ltd on TUPE and pre-pack administration.
Preece v JD Wetherspoons plc ET2104806/10 dismissal for posting on facebook
McKie v Swindon College [2011] – employer liable for negligent statements about employee in an email

Dealing with redundancy of women on maternity leave
Eversheds Legal Services Ltd v De Belin UKEAT/0352/10

Legislation on the Horizon

- Auto-pension enrolment
- Resolving workplace disputes and employment tribunal fees
- Modern Workplaces Consultation

16.30 – Close