

The UK Rules

Main Features of Current Employment Legislation

We have simplified the key features of employment legislation and made the complexities easier to understand.

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2022 Employment Law Acts UK

| Aspects of Employment Covered by Law in United Kingdom | UK Statutory Payment from April 2022 |
|--|---|
| Agricultural Sick Pay (ASP) | Rates vary (*requires 52 weeks of employment) |
| London Living Wage (all boroughs) | £11.05 an hour (UK Living Wage £9.50) |
| National Living Wage (NLW) | £9.50 an hour (age 23 and over) |

| | |
|---|---|
| National Minimum Wage (NMW) | £9.18 an hour (age 21 to 22) |
| Statutory Maternity Pay (SMP) | £156.66 per week (*33 week standard rate) |
| Statutory Redundancy Payments (RPS) | £571 per week maximum |
| Statutory Sick Pay (SSP) | £99.35 per week (paid fortnightly) |

What is Employment Law UK?

Employment legislation is seeing an ever increasing number of legislative 'dos and don'ts' in the workplace. In short, 'a contract of service' is an agreement whereby mutual obligations exist between employers and their employees.

Legislation Relating to Contracts of Employment

Employment Contracts

What is an employment contract and what should be in one? The guide explains how the terms and agreements in a contract of employment work.

Being in continuous employment for a minimum period influences certain rights for working employees. But, the beginning and end dates of being continuously employed determine your individual rights.

It is important for employers to understand the key differences in employment contracts. Find out how different types of employment contracts affect employer responsibilities.

A 'written statement of employment particulars' is not an employment contract. But, it details the main conditions of employment where a contract lasts for one month or longer.

What are your rights and obligations if your employer relocates the company? A lot depends on whether there is a 'mobility clause' written in the employment contract.

Note: Current employment legislation acts regulate employing children and young persons into the workplace. In UK law, the definition of a child is someone not over 16 years - compulsory school age. Thus, a young person would be someone under 18 but ceases to be a child - a minor.

Employment Status

It defines the basic rights and responsibilities people have in the workplace. Find out the work rights for the main types of employment status in the United Kingdom.

Agency Workers

The Agency Workers Regulations 2010 brought in new legislation and new entitlements. It applies to temporary agency workers, clients, and hirers from the 1st of October 2011.

Fixed Term Employment

A fixed-term employment contract is a term which refers to a contractual relationship between an employer and their employee. As a rule it lasts for a specific period of time.

Flexible Working

Find out how to request flexible working by making a statutory application. Check out some reasons employers can give to reject flexible working hours and how to appeal.

Part Time Workers

A part time worker is an individual who gets paid in relation to the partial or total hours worked. It is commonly less hours than someone who works full time.

Workers vs. Self-employed

Workers are any person doing work for another person or organisation. They will most likely get categorised as either a worker or a self-employed worker.

Self-employed workers offer services through a business or profession which they personally run. Rights to the NMW and WTR apply to both workers and self-employed working individuals.

Data Protection Principles

The guide explains the 8 principles of the Data Protection Act 1998 section c 29. This Act of Parliament protects personal data stored in paper filing systems and on computers.

Disabilities in the Workplace

The European Court of Justice (ECJ) confirmed a new ruling in December 2014. It states that obesity is a disability in the workplace (or its effects are).

Discrimination Rights

Prejudicial or unjust treatment of divergent categories of people is discriminatory. The law protects certain types of discrimination 'protected characteristics' in the United Kingdom.

Disciplinary Procedures

Employers should comply with Acas Code of Practice on disciplinary procedures. So, the laws that protect employees also deal fairly with workplace suspension, punishment, and dismissals.

Note: Besides handling disciplinaries, there will be times when employers need to solve a workplace dispute. Check a guide to informal discussions and formal procedures for solving disputes at work.

Dismissals in the Workplace

A dismissal occurs when an employer terminates a contract. It can also be when there is no fixed renewal period of a contract when the original contractual period ends.

Employment is usually terminated by a period of notice, agreed by both parties. The exception could be when the contract has special circumstances for an automatic end. Employees contracted for a specific fixed period of work would also follow the same law.

Note: When we list the main features of current employment legislation we left out retirement. But, retirement cannot be a potentially fair reason for dismissal (unless it can be objectively justified).

Employment Tribunals

In short, employment tribunals are a system of the courts, hearing and dealing with workforce disputes and compensation claims by employees.

Equality Act 2010

The UK Equality Act is now a simpler unified legal framework. It covers all workplace

discrimination rights towards sex, age, religion, and many more.

Health and Safety in the Workplace

All employers must meet their legal responsibilities on Health and Safety at Work. This guide explains how Health and Safety at Work etc Act 1974 affects workers in the United Kingdom.

Industrial Action (strike law)

Workers have employment rights even while taking part in industrial action and strikes. Find out how trade unions organise legal industrial action and the law on picketing.

Maternity Leave and Parental Rights

How many weeks maternity leave do I get? As a rule you will be entitled to Statutory Maternity Pay for up to 39 weeks.

You should get 90% of your salary for the first six weeks and then you get the current week rate for the rest of the term. An employer's scheme must pay the same as statutory maternity pay as a minimum.

Mental Health Act 1983

What is the Mental Health Act? The guide explains HR legislation UK contained within the Mental Health Act (MHA) 1983 in England and Wales.

Recruitment Legislation

Running an organisation often includes recruiting new people to join the company workforce. Employers must follow all recruitment rules and regulations when sourcing new staff.

Transfer of Undertakings (TUPE)

TUPE relates to the 'Transfer of Undertakings (Protection of Employment) Regulations 2006'. Rules of TUPE apply to organisations of all sizes and protect the rights of employees if an organisation or a service they work for transfers to a new employer.

Wages and Salary

National Minimum Wage 2022/23

In the United Kingdom, the National Minimum Wage and Living Wage is the hourly rate which must get paid to all workers aged over 16 years old (school leaving age).

The National Minimum Wage rates change every October in the United Kingdom. Whereas the rate for the National Living Wage changes in April.

According to the law, wages include any emolument of employment (salary), any bonus, fee, holiday pay, or commission. Wages include Statutory Sickness Benefit and Statutory Maternity Pay.

Pay Deductions

Employers make up worker wages with salary, bonuses, and holiday entitlement and pay. So what are your rights if your employer makes pay deductions from your pay packet?

Equal Pay Act

The UK Equal Pay Act 1970 now incorporates the UK Equality Act 2010. It provides an equality clause for anyone (men and women) employed in Great Britain.

Working Time Regulations

Workplace legislation applies to most workers in the United Kingdom. It includes the implementation of the 1993 EC Working Time Directive into English law, with some exceptions.

48 Hour Week

The maximum weekly working time of 48 hours may be extended by forming a written agreement. It also allows the worker to end the extension - usually with a seven day notice.

Night Workers

Check out some exceptions to night working limits and how health assessments work.

Rest Periods

Minimum daily and weekly rest periods of 11 hours rest a day with a right to one day off a week. The law on rest breaks at work allows at least 20 minutes respite if the working day is longer than six hours.

Annual Leave

In the UK there is a right to 5.6 weeks of paid annual leave capped at 28 days.

Note: As a rule, employers and employees have an agreement on contractual occupational times and places. But, the leave of absence from work laws are often the cause of workplace disputes.

Workplace Pensions

The government introduced new workplace pension regulations in October 2012. Employers should automatically enrol qualifying workers in an occupational pension scheme.

They should then be making appropriate pension contributions on their employee's behalf as part of the employer PAYE scheme.