

Look to the Future Now



Introduction

Employment legislation very rarely stands still and this is again the case for 2010. A number of important developments are to take place this year and it is important for employers to be fully prepared for their implementation. Below are a number of enactments that will come into force over the course of the year.

Maternity Leave

The Government intends to make changes to Statutory Maternity Leave by April 2010. It is proposed that mothers with maternity leave outstanding in the second 6 months of a child's life will be able to transfer up to 6 months of their leave to the father. It is envisaged that up to 3 months of that leave will be paid at the Statutory Maternity Pay rate if the leave is taken in the mother's 39 week maternity pay period. While it is intended that the law will be in force by April 2010, in order to allow employers to prepare for the measures it is expected that it will only be effective for parents of children due on or after 3 April 2011.

Sick Notes

The usefulness of Doctors notes have long been open to debate and so it is proposed that sick notes will be replaced by 'fit notes' in the spring of 2010. The idea is that Doctors will be expected to provide more helpful information and opinion to employers with regard to assessing whether an employee is fit to do some work and to make suggestions as to how an employer might accommodate a return to work.

Training

From April 2010 there will be a new statutory right for employees to request training. However this will only extend to employees with over 26 weeks of continuous employment and whose employer has more than 250 employees. The process will be very similar to that of the right to request flexible working.

Retirement

The Default Retirement Age (DRA) is to be reviewed in 2010 following key cases in 2009 where it was argued that the current age of 65 was no longer necessary and was discriminatory. The review will look to establish whether a new DRA should be set or whether it is still appropriate to have one in place at all. It is expected that any changes would not be implemented until 2011 to give both employers and employees the opportunity to think through their retirement plans.

What to do?

HR Insight will be with you throughout the year to keep you informed of all the legislative changes in 2010 and to help with any employment issue that you would like to discuss. Simply telephone us on 01708 758958 or visit us at www.hrinsight.co.uk. In the meantime, we wish all our Factsheet Readers as very happy and healthy New Year!

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