



Employment Rights Bill Member briefing

Who we are



Kate Nicholls, OBE
Chief Executive



Allen Simpson
Deputy Chief
Executive

What we are going to talk about

- The political context
- The measures – costs, contracts and everything else
- Next steps

The political context



1) Kickstart economic growth

to secure the highest sustained growth in the G7 – with good jobs and productivity growth in every part of the country making everyone, not just a few, better off.

2) Make Britain a clean energy superpower

to cut bills, create jobs and deliver security with cheaper, zero-carbon electricity by 2030, accelerating to net zero.

3) Take back our streets

by halving serious violent crime and raising confidence in the police and criminal justice system to its highest levels.

4) Break down barriers to opportunity

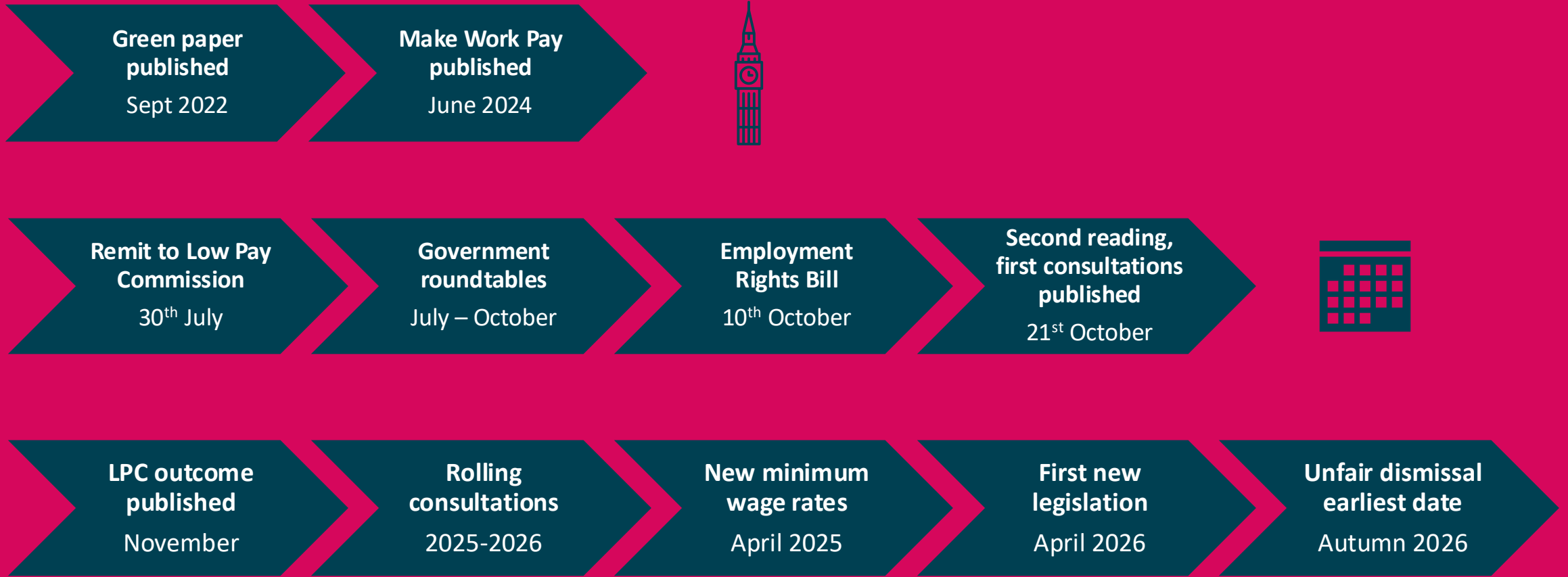
by reforming our childcare and education systems, to make sure there is no class ceiling on the ambitions of young people in Britain.

5) Build an NHS fit for the future

that is there when people need it; with fewer lives lost to the biggest killers; in a fairer Britain, where everyone lives well for longer



The timeline



The measures

Costs

Fair pay

The policy	The background	Our view
<p>The National Minimum Wage calculation will include cost-of-living alongside the 66% median earnings calculation.</p> <p>Age bands for over and under 21 years old will be removed, with 16-17 and apprenticeship remaining.</p>	<p>This policy has changed significantly</p> <p>Labour's initial plan was for a specific hourly rate.</p> <p>Unions called for a £15 a hour wage and a real living wage for all.</p>	<p>We are worried about affordability.</p> <p>The new inflation remit could cause spikes during economic shocks.</p> <p>The period for abolishing the under 21 rate should be carried out over time.</p>

Sick Pay

The policy	The background	Our view
<p>Staff will qualify for Statutory Sick Pay from day one of an illness.</p> <p>The lower earnings limit will be replaced so lower earners will get a (smaller) payment.</p>	<p>Policy closely resembles Labour's plan in opposition.</p>	<p>A lot is unclear.</p> <p>Will it apply from day one of employment?</p> <p>What happens below the lower earners' limit?</p> <p>Is it SSP or company sick pay?</p>

Cancelled shifts compensation

The issue	The background	Our view
Staff will have compensation for shifts cancelled or changed within a defined period before the shift starts	This policy dates back to the May government.	<p>Notice should be proportionate, and allow for emergency cover.</p> <p>Staff should be able to swap shifts.</p> <p>Employers should be able to offer reasonable alternative shifts.</p>

Contracts

Day one rights

The policy	The background	Our view
Day one rights will include bereavement leave and parental and paternity leave .	Final policy closely resembles Labour's plan in opposition	We should have differential rights for longer serving staff. Will bereavement leave be paid or unpaid?

Flexible working

The policy	The background	Our view
<p>Employees can choose whether to be on a zero hours contract or a fixed hours contract</p> <p>The hours will be based on a 12 week average.</p>	<p>Started as a complete ban on zero hours contracts.</p>	<p>The 12 week period should be longer.</p> <p>Employees should have a simple opt-out.</p> <p>Genuine casual work and fixed term contracts should be exempt.</p>

Unfair dismissal

The issue	The background	Our view
<p>Protection from day one, with the two-year threshold abolished.</p> <p>A new probationary period (e.g. nine months) will allow a light-touch fair dismissal process.</p>	<p>The probationary period is an important change from the initial policy.</p>	<p>Pleased with the probationary period, which qualifies the impact of day one rights.</p> <p>Fair dismissal should be flexible.</p> <p>Need to avoid creating excessive tribunals.</p>

Everything else

Coming in the legislation

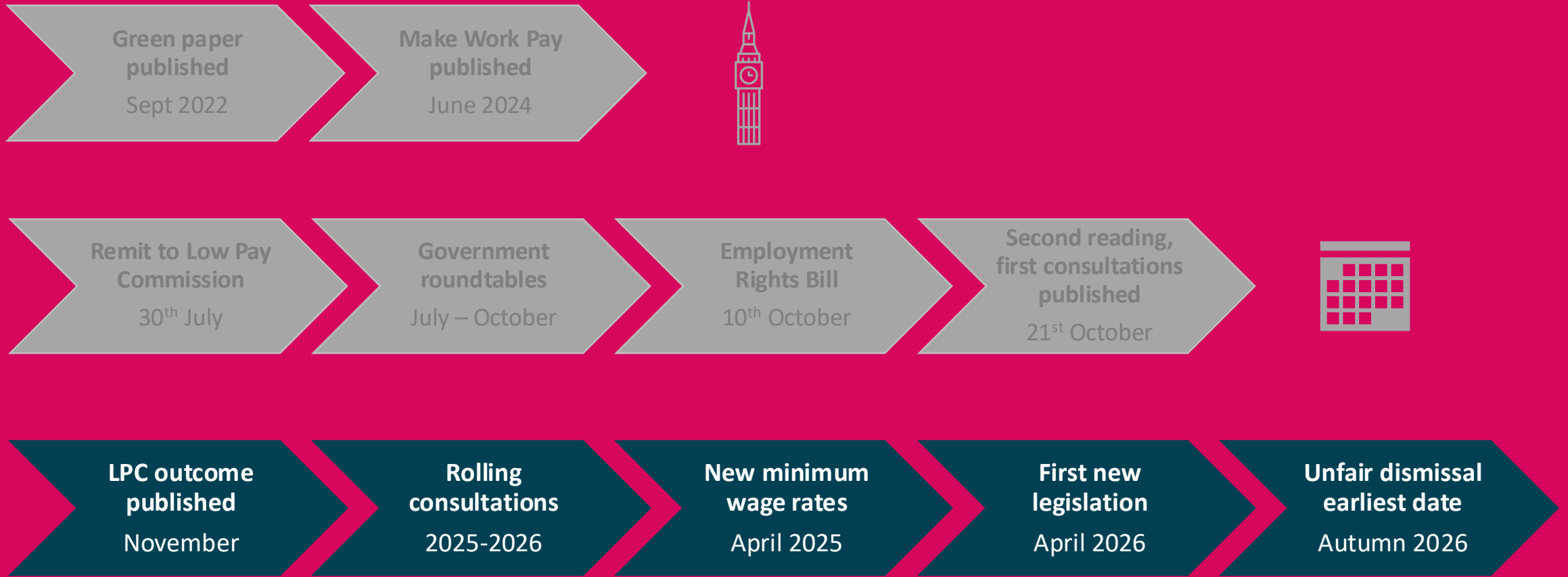
Prevention of sexual harassment	Ethnicity and disability pay gap reporting (250+ employees)	Flexible working
Tipping – greater influence over tipping policies for workers	Trade union recognition	Fire & rehire
Gender Pay Gap plans (250+ employees)		

Future reviews

Right to switch off	Review of parental and carers' leave	Health & safety guidelines
Operation of TUPE		

Next steps

The timeline



Questions?