

## **UK Employment Law Changes from April 2009**

**9 April 2009**

### **Increase in Statutory Holiday Entitlement – 1 April 2009**

In October 2007, the minimum statutory paid holiday entitlement was increased from 20 days per year to 24 days for those working a five-day week (pro rata for part-time workers). From 1 April, the minimum statutory annual leave entitlement will be increased to 28 days per year. Paid time off does not have to be given on public holidays but, if it is, employers can include this in the holiday entitlement.

### **Statutory Maternity Pay – 5 April 2009**

The standard weekly rate of Statutory Maternity Pay, Statutory Paternity Pay, and Statutory Adoption Pay will increase from £117.18 to £123.06 from 5 April 2009.

### **Repeal of the Statutory Dispute Resolution Procedures – 6 April 2009**

The Employment Act 2008 repeals the statutory dispute resolution procedures and related provisions dealing with procedural unfairness in dismissal cases.

Instead, a revised voluntary ACAS Code of Practice (the Code) will apply. This will be supported by nonstatutory guidance which is aimed at encouraging employers and employees to resolve workplace issues informally.

The Employment Tribunal will have the discretion to increase or reduce an award by up to 25% where either side unreasonably fails to comply with the new Code of Practice.

The Code of Practice can be found at <http://www.acas.org.uk>.

### **The Statutory Right to Request Flexible Working – 6 April 2009**

From 6 April, the right to request flexible working arrangements is extended to those with parental responsibility for children aged 16 and under.

### **Statutory Sick Pay – 6 April 2009**

The weekly rate for days of sick absence commencing on or after 6 April 2009 will increase from

£75.40 to £79.15.

## **Enforcement of the National Minimum Wage – 6 April 2009**

The Employment Act 2008 makes changes to the way in which payment of the National Minimum Wage is enforced. HM Revenue and Customs will have wider powers of investigation. In addition, restrictions have been removed on the exchange of information between HMRC and the Employment Standards Inspectorate.

For further detail on the new Code and advice on updating your existing grievance and disciplinary policies, or for more detail on any of the employment law changes mentioned in this LawFlash, please contact either of the following Morgan Lewis lawyers:

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