

New Dawn for Employment Law

Published by *Accounting and Business Magazine*

August 2024

The article explores what UK employment law reforms employers should be aware of since the general election. The Labour Party's Plan to Make Work Pay was telegraphed before the election and reinforced in the King's Speech. The changes, which vary in significance and how they will affect day-to-day business, will occur in the coming months. The article lays out key proposals that HR departments should have on their radars, such as:

- **Unfair dismissal.** Employees have been promised protection from unfair dismissal from the first day of their employment.
- **Flexible working.** The right to request flexible working became a day-one right in April.
- **Sick pay.** The four-day waiting period will be removed, so statutory sick pay (SSP) must be paid from day one of sickness.
- **Switching off.** A 'right to disconnect' to promote healthier working practices has been promised.
- **Family leave.** The parental leave system will be reviewed. Labour will make parental leave another day-one right. It's unclear if this refers to parental leave only or also to other kinds of rights for parents to take family leave.
- **Sexual harassment.** Starting in October, employers will already have a new proactive duty to take 'reasonable steps' to protect employees from sexual harassment.
- **Pay gap reporting.** In addition to gender pay gap reporting (which is going to be extended to include outsourced workers), there are now plans to make ethnicity and disability pay gap reporting compulsory for employers with at least 250 employees.
- **Race Equality Act.** The right to make equal pay claims to Black, Asian and minority ethnic and disabled workers is also on the agenda, as is a right to claim 'dual discrimination,' where an individual can claim discrimination because of having two protected characteristics, such as those based on race and gender.

- **Worker status.** Following consultation, the government plans to implement a new system where people are designated as either workers or self-employed, eliminating the current legal distinction between 'employees' and 'workers.'

"[New dawn for employment law](#)," *Accounting and Business Magazine*, August 2024

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