



KIPPEN CAMPBELL LLP

EMPLOYMENT LAW BULLETIN

APRIL 2024 EDITION

EMPLOYMENT LAW UPDATE - SUMMARY OF MAIN APRIL 2024 CHANGES

We thought it would be helpful to provide in one place a summary of all of the major Employment Law changes this month as there are so many!

1. National Minimum Wage Increases

The National Minimum Wage (NMW) experienced increases effective from 1 April 2024. For people aged 21 and over, the National Minimum (Living) Wage elevates from £10.42 to £11.44. Those aged between 18-20 will see an increase from £7.49 to £8.60, while individuals aged 16-17 and apprentices in their first year of apprenticeship will observe a rise from £5.28 to £6.40. The NMW, a mandatory wage floor for all employers, regardless of size or sector, must be upheld. Employers may set wages above this threshold but cannot pay less than the levels mandated by the National Minimum Wage Act 1998 and the National Minimum Wage Regulations 2015.

2. Holiday Pay

Holiday pay calculations will see new regulations effective from 1 April 2024. Part-time and irregular-hour workers will have their holiday entitlement accrue at 12.07% of hours worked per pay period. Employers can opt to pay holiday pay when taken or include it in employees' regular salaries (rolled-up holiday pay), with the latter based on 12.07% of income for the relevant pay period. Employers must itemise the holiday portion on employees' payslips. These changes apply to holiday years starting on or after 1 April 2024.

3. Paternity Leave

Regarding paternity leave, employees with an expected week of childbirth (EWC) or adoption placement starting from 6 April 2024 can opt for one or two weeks of continuous leave, or two non-consecutive weeks. They must take leave within a year of childbirth or adoption, with exact dates confirmed at least 28 days beforehand. Pregnant employees will have priority for alternative roles in case of redundancy from 6 April 2024 until 18 months post-birth or adoption placement.

Shared parental leave lasting less than six weeks ensures redundancy protection during that period; however, leave exceeding six weeks grants protection for 18 months post-birth. Carer's leave, offering five unpaid working days annually from the start of employment, can be taken in single or half days with a notice requirement of three days. Employers can delay carer's leave if necessary to minimise business disruption, provided approval is given within one month.

4. Flexible Working

From 6 April 2024, the right to request flexible working becomes available from day one of employment. Employees in England, Scotland, and Wales can make two flexible working requests within 12 months. Employers must consider and explore alternatives before declining requests and respond to the employee requesting flexible working within two months.

5. Sexual Harassment

From April, under the Worker Protection (Amendment of Equality Act 2010) Act 2023, employers bear the responsibility to prevent sexual harassment in the workplace, with a focus on taking reasonable steps to do so. If found in breach, compensation awarded by the Employment Tribunal can be increased by 25 per cent.

Kind Regards

Steve

Steve McLaren sm@kcllp.co.uk
Sally McCartney sal@kcllp.co.uk

Telephone: **01738 635353**

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