

September 2017 Newsletter

[View this email in your browser](#)



Employment Tribunal Fees scrapped

THE big HR news over the summer was on Employment Tribunals.

In July the Supreme Court ruled that the fees that individuals have had to pay to take a case to Employment Tribunal were unlawful, raising the question of whether claimants should be reimbursed for claims made since 2013, to the tune of an estimated £27 million. The Supreme Court based their decision on their belief that fees were "inconsistent with access to justice" and had resulted in a substantial fall in the number of claims being brought since their introduction.

What does this mean for me?

The advice that we give has not changed. We remain keen to support our clients to identify and resolve problems at an early stage.

The commencement of a case does not mean that the employer is at fault, but the onus is on the employer to prove that they have not acted unfairly.

Our belief is that once an issue has got to the stage where an employee feels that there is no option but to make a claim to the Employment Tribunal, the situation has sadly progressed to a point beyond repair and both parties stand to lose their time, effort and money regardless of who is at fault.

Talk to us at an early stage, we're here to help ...

Our aim is to provide guidance and support to enable our clients to treat their employees fairly and responsibly. We will always advise you to deal with problems proportionately at an early stage, and, where there is no improvement how to escalate the matter in line with employment legislation and regulations.

This is not an easy issue, and naturally the biggest worry of many employers that we speak to is that they will end up in Tribunal. The



Welcome to our September newsletter!

Wow, the year is flying by, it's almost the end of September and we're wondering where the time is going!

We've had a busy time the last few months and are enjoying getting our teeth stuck into some interesting projects with new and existing clients.

We are looking to build our client base as our youngest kids have now started school (we're both happy and a little bit sad about this!), so if you know of anyone who is seeking HR Support, please do pass our details on!

We'd love to hear from you if you have any HR needs arising from issues in this newsletter, or if there are any HR issues we can help with.

Julie and Antonia

www.gl-hrsolutions.co.uk

info@gl-hrsolutions.co.uk

benefit of our involvement in any business is that we will provide our expertise to seek to avoid any risks, and respond to issues at an early stage.



Antonia is now accredited in TMSDI Team Management Profiles.

She is now able to deliver feedback sessions on the team and leadership profiling tool, adding an extra string to the Green Light bow! Do get in touch if you're interested in knowing more!

[Click here to see more about the TMSDI tool.](#)

What's the situation with rolled up holiday pay?

We've had a few concerned phone calls from clients regarding their right to pay rolled up holiday pay to employees who are working irregular and variable hours.

Paying employees for their holiday as opposed to giving them actual time off is a pragmatic solution to deal fairly with employees' statutory entitlement to holiday as it accumulates. The approach is widely used for part-time employees who work irregular and varied working patterns, for example, on a zero hours, term-time only or casual contract of employment. However, if we strictly apply the letter of the law, it is an illegal practice and therefore it is important for employers to be aware of the risks.

This is a complex area and it is always wise to contact us to discuss the use of rolled up holiday pay in the individual circumstances of your business and employee working



About Green Light HR Solutions

Green Light HR Solutions is a North Leeds based HR Consultancy run by Antonia Nicholls and Julie Shimmin. We have experience of working with small businesses and understand the people management challenges you face on a day-to-day basis.

Julie and Antonia are fully CIPD Qualified with, between us, over 30 years experience of working in HR and managing staff in both the public and private sector. All the work is performed by us. Our rates are competitive and we are keen to extend our client base. We are a small outfit who take pride in getting to know our clients and provide a high quality and bespoke service.

www.gl-hrsolutions.co.uk



Statutory Entitlements: April 2017

(qualifying criteria apply)

Statutory Maternity, Shared Parental Leave, Paternity and Adoption Pay:

£140.98 per week.

Statutory Sick

Pay: £89.35 per week for up to 28 weeks.

patterns, however, as a general rule we advise the following:

- that holiday pay is calculated at the rate of 12.07% of hourly rate. This should be clearly set out in the contract of employment and paid as a separate allowance for holiday pay on the employees' payslip.
- that in all other regards you follow the Working Time Directive in regard to employee rest breaks and periods off work
- that you routinely check employee working patterns to consider whether you have business reasons to transfer any employees who regularly work more than 20 hours week on to a part-time salaried role with an actual holiday allocation. This may better reflect the reality of their working pattern
- that you grant any request from an employee receiving rolled up holiday pay to have the actual time off work instead. This could be calculated at 12.07% of the hours they work and "banked" to be taken at their request, following your set annual leave procedure.

This is a complex area, so please get in touch to discuss any questions you have on this matter.

The National Living Wage (NLW) from April 2017:

Workers aged 25 and over: £7.50

Workers aged 21 to 24 years: £7.05

Workers aged 18-20: £5.60

Under 18: £4.05

Apprentice: £3.50*

*This rate is for [apprentices](#) aged 16 to 18 and those aged 19 or over who are in their first year. All other apprentices are entitled to the NMW for their age.

The next increase to the Statutory entitlements will be announced prior to their expected increase in April 2018.

Click here to see [our previous newsletters](#)

Please send your feedback and thoughts on what you'd like to see in future info@gl-hrsolutions.co.uk

We'd love you to forward our newsletter on, or folks can sign up on: www.gl-hrsolutions.co.uk

If you have any questions on any of the issues above or any other employment or staffing matter please get in touch;

antonia@gl-hrsolutions.co.uk - 07710 456240
julie@gl-hrsolutions.co.uk - 07804 729547

Antonia and Julie

**Your People,
Our Expertise,
Combined Solutions**

Copyright © 2017 Green Light HR Solutions, All rights reserved.

[unsubscribe from this list](#) [update subscription preferences](#)

