

What to expect in employment law in 2022

WELCOME TO CLARITY

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Employment Tribunal claim trends

- Menopause as a disability
 - High awards for flexible working claims
 - Pandemic related claims
 - Automatically unfair dismissal on health and safety grounds
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Upcoming changes

- Extension of SSP self-certification period ends
 - April 2022
 - Increases to:-
 - National Living Wage / National Minimum Wage
 - Statutory Sick Pay and family friendly benefits
 - Tribunal compensation
 - Vento guidelines
 - Introduction of health and social care levy
 - Changes to right to work checks
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Upcoming changes

- Introduction of Employment Bill
 - Single enforcement body for employment rights
 - Extension of redundancy protection for pregnant women and new parents
 - Neonatal leave and pay (12 weeks)
 - Unpaid carers leave (1 week)
 - Changes to flexible working rights
 - Right to request more predictable contract
 - Workers to retain tips in full
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Upcoming changes

- When parliamentary time allows:-
 - Employer duty to prevent sexual harassment in the workplace and to prevent third party harassment
 - Legislation to curb use of Non-Disclosure Agreements in contracts and settlement agreements
 - Changes to the Modern Slavery Act
 - Updated data protection employment practices code
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Other future developments

- Extension of gap in employment required to break continuity from 1 week to 4 weeks
 - Extension to time limits for Equality Act claims
 - UK Government response to consultation on employment status
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Other future developments

- Increased protections for women going through the menopause
 - Ethnicity pay gap reporting
 - Disability pay gap reporting
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Flexible working & holiday headaches

Flexible working

- Will flexible working become the default?
 - Challenges for employers
 - Managing multiple requests
 - Managing employees whose requests are refused
 - Maintaining company culture
 - Managing performance remotely
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Flexible working & holiday headaches

Holiday headaches

- Managing high levels of holidays carried forward during pandemic
 - Refusing requests
 - Giving notice to take holidays
 - Employees wanting to take or cancel holidays at the last minute
 - Illness during holidays
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Key cases

- Harpur v Brazel
 - Chell v Tarmac Cement and Lime Ltd
 - Smith v Pimlico Plumbers
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Predictions for 2022

- Increased protections for women going through the menopause
 - Ethnicity pay gap reporting
 - Office working v homeworking disputes
 - More use and regulation of AI in the workplace
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Predictions for 2022

- More Tribunal cases flowing from coronavirus
 - Dismissal/health and safety issues
 - No job no job
 - Redundancy/furlough
 - Long covid as a disability
 - More mandatory vaccinations?
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Q&A

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MAKE CONTACT

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