



Employment Law e-bulletin - March 2022

Welcome to our March e-bulletin. This month we provide a preview of the employment law changes taking place in April 2022. In addition, holidays are a hot topic this month. We look at potential issues flowing from the extra bank holiday for the Queen's platinum jubilee as well as an important decision on the right of workers to recover pay for holidays taken but not paid. The Court of Appeal has also issued an important judgment looking at the extent of the entitlement under the Agency Workers Regulations for agency workers to be informed of vacancies.

All of our other regular features are here too, including links to our weekly podcasts. Scroll down to find out more.

AUDIT OF KEY EMPLOYMENT DOCUMENTATION

Is your employment documentation up to date? A regular audit of key employment documentation is an effective way of ensuring that your contracts are legally compliant and the risk of claims is minimised. We can carry out an audit and make any necessary changes for a fixed fee. For further details please get in touch via the "Contact Us" section below.

INNES CLARK

Head of Employment Team



EMPLOYMENT LAW TRAINING - WINTER/SPRING TRAINING PROGRAMME

Register below for our upcoming essential employment law webinars. Our webinars last for approximately 50 minutes and are free to attend. Click on the links below for further details.

- [Long covid & menopause - emerging disabilities - 24 March 2022](#)
- [Managing mental health in the workplace & legal issues that arise - 19 May 2022](#)
- [Resolving Workplace Disputes - 14 June 2022](#)

All of our webinars are applicable to the law of Scotland, England and Wales.

If you missed February's webinar you can still view a recording of our [Holiday Masterclass](#).

UPCOMING DEVELOPMENTS

Preview of April 2022 employment law changes

We take a look at the changes coming into force next month.

[READ MORE](#) →



CASE DECISION

Misclassification of workers could be a costly mistake

Worker entitled to holiday pay going back through whole period of employment.

[READ MORE](#) →

INSIGHT

Is everyone entitled to the Platinum Jubilee bank holiday?

No, and employers may want to address any uncertainty about this now.

[READ MORE](#) →



Our weekly employment law podcasts

You can listen to our most recent employment law podcasts by clicking on the links:-

[Holiday pay claims post-Pimlico](#) - In our weekly employment podcast, David Hossack and Lindsey Cartwright discuss the implications of the latest case concerning holiday pay as it relates to the accrual of leave (and any payment due on termination) where workers have been denied the right to paid leave.

[Can an employee remove confidential documents belonging to their employer in order to seek legal advice?](#) - David Hossack and Fiona Meek discuss a recent case which looked at whether employees are entitled to remove confidential documents from their employer in anticipation of legal proceedings.

[The Right to Disconnect](#) - David Hossack and Helen Donnelly discuss how the proposed right to disconnect outside of contracted working hours might be received in the modern, flexible workplace.

[Can an employer be held liable for injuries following a practical joke that went wrong?](#) - David Hossack and Fiona Meek discuss a recent case where an employer was not liable for injuries suffered by an employee when a practical joke went wrong.

For links to more of our podcasts see our [Podcast Library](#).



COURT OF APPEAL JUDGMENT

Agency workers not entitled to apply for vacancies on same terms as hirer's employees

The right is to be notified and given information only.

[READ MORE](#) →

ROUND UP

Employment law round-up

Our monthly round up of the employment law related news you may have missed.

[READ MORE](#) →



GUIDANCE

Working from home - current Government guidance around the UK

A brief summary of what the rules on returning to the workplace are wherever you are in the UK.

[READ MORE](#) →

EMPLOYMENT LAW FACT CARD - 2022/23 - OUT SOON!

Our popular Employment Law Fact Card is full of useful information for employers including disciplinary and redundancy checklists, Employment Tribunal award limits, family friendly leave entitlements and national minimum wage rates. We will be sending out the latest edition to our mailing list later this month.

If you are not already on our mailing list and would like a hard copy of our free Fact Card please email us at employment@morton-fraser.com with your name and postal address and we will send it on to you once it is available.

You can also find lots of useful employment law information on our free app which is available to download from the App Store or Google Play. For further details and a link to the download see:

[MF HR Mobile - Our Employment Law App](#)

"...the app is gorgeous, very well designed with great functionality and looks." - **Legal IT Insider** (www.legaltechnology.com)

EMPLOYMENT LAW GUIDELINE & TIMELINE

To see our Brief Guide to Employment Law in Scotland, England and Wales, click [here](#).

For details of upcoming changes in employment law, see our [Employment law reform timeline](#)

EMPLOYMENT LAW SUPPORT FOR YOUR ORGANISATION



How we can help

Clear employment law advice from one of the leading employment teams in Scotland.

- More Law Society accredited specialists than any other team in Scotland
- Clear, pragmatic, cost effective, legally privileged advice
- Fixed fee packages available (including Tribunal awards insurance, if required)

A highly professional and responsive service...very approachable and always easily contactable - Chambers and Partners

Find out more about how our employment team can help you in our [brochure](#) or contact innes.clark@morton-fraser.com to ask a question or discuss your requirements.

Employment law training

We offer a practical series of employment law courses covering key employment law and related HR issues including:-

- Disciplinary and grievance issues training
- Managing employees (Performance) training
- Managing employees (Sickness Absence) training
- Discrimination and harassment training
- Employment Tribunal Procedure and Witness Familiarisation training
- Immigration & Employment training
- GDPR: the practical day to day skills you need to know in the workplace

Our courses are designed for business owners, HR professionals, line managers, in-house lawyers, finance team members, charity trustees and board appointees.

All of our courses have a very practical focus, drawing on our many years of experience advising both employers and employees.

Our courses can be delivered face to face or via a live webinar.

For further information please contact Innes Clark on 0131 247 1181 or at innes.clark@morton-fraser.com.



Contact us

If you have any questions on the content of this e-bulletin or if you would like to discuss any other employment issue then please contact any of the Employment Law Partners listed below or speak to your usual Morton Fraser employment team contact:-

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