

This week in Employment Law

Government publishes ethnicity pay gap reporting guidance

In March 2022, the government confirmed it would not introduce ethnicity pay gap reporting as a mandatory requirement for businesses, but it did promise to publish guidance for those that wanted to report voluntarily.

- On 17 April 2023, the government published its long-awaited guidance into ethnicity pay gap reporting to help employers produce effective and consistent reports.
- The ethnicity pay gap shows the difference between ethnic groups' average pay across an organisations over a period of time.
- Many organisations choose to report on their ethnicity pay gap voluntarily to show their commitment towards achieving genuine equality, diversity and inclusion at all levels, and the actions they are taking to do so.
- The guidance is split into five main parts: introduction and overview; understanding and reporting data; collecting ethnicity data; preparing payroll data; and making your calculations.
- The process for compiling an ethnicity pay gap report is largely similar to the requirements for gender pay gap reporting. But, instead of the comparison being between two groups (male and female employees), employers will have to determine how to group employees based on ethnicity.
- The guidance recommends following the Census for England and Wales ethnicity groupings, as this provides a ready-to-use set of tested and legally sound questions. Employers should also report on those who opt to "prefer not to say" what their ethnicity is.

Preparing to celebrate Eid with employees

With Ramadan expected to end this Friday, employers may want to consider how they will celebrate Eid with their teams. Allowing flexibility with time off and last-minute annual leave requests will likely provide the most benefit to employees, to enable them to spend time with their families. Where this isn't possible, organising workplace festivities and offering treats can be a great way to bring staff together and boost morale.

Did you know?

Introducing a flexible bank holiday policy can enable employees to take time off for events that are important to them, rather than during largely Christian-focused occasions like Christmas and Easter.

Government to test new Emergency Alerts service

This Sunday, 23 April at 3pm, the government will conduct a national test of its new UK Emergency Alerts service. This will send an alert to mobile phones and tablets and cause them to make a siren-like sound, vibrate, or read out the alert for around 10 seconds. Employers who have staff working at the time may want to make them aware of the alert, what it means and how they should manage it.

Did you know?

An effective mobile phone policy, such as to turn phones off during working time, can help set out the rules and expectations surrounding usage in the workplace, to avoid issues arising in situations like this.

Unfair dismissal due to lack of investigation clarity

A maintenance worker used a company van and credit card for personal use without permission. During a planned welfare meeting, the employer raised the issues with him but the employee felt "ambushed" since there was no clarity that the discussion was to be an investigation meeting. After he was dismissed for gross misconduct, he raised a claim for unfair dismissal, arguing the dismissal was procedurally unfair.

Did you know?

The ET upheld his claim, saying the process was unfair since there wasn't anything to suggest the meeting was an investigation. But, compensation was reduced to zero due to contributory fault.