



## *This week in Employment Law*

### **New employment protections for parents and carers**

**Working parents and carers are set to gain new employment rights, after three new laws gained royal assent last week, which means that they have successfully passed through all of the government's debating stages.**

- The Neonatal Care (Leave and Pay) Act 2023 gives parents of babies who need to go into hospital for neonatal care, for at least seven consecutive days and in the first 28 days of their life, the right to take extra leave at the end of their maternity/paternity leave. The government will also confirm how this will apply to shared parental leave.
- The Carer's Leave Act 2023 gives employees with caring responsibilities the legal right to take five days' unpaid leave each year to carry out those responsibilities for someone who is old, has a disability or an illness/injury lasting more than 3 months.
- The Protection from Redundancy (Pregnancy and Family Leave) Act 2023 will require employers to offer pregnant employees, and those who have come back from maternity, adoption and shared parental leave, until 18 months after the birth/adoption, a suitable alternative vacancy during a redundancy exercise.
- Regulations are needed before neonatal leave and pay, carer's leave and the extended redundancy protection can come into force, so these new laws are not expected to be introduced until 2024.
- Employers and HR teams should look out for further details being released on these new employment rights and prepare to implement the changes in their organisation.

### **Report highlights negative impact of poor managers**

A direct link between poor managers and negative mental health, job satisfaction and performance amongst workers has been highlighted in a new report by the Chartered Institute of Personnel and Development. Employees were asked to rate their managers on a range of people management behaviours. The results also highlight that good manager behaviour can avoid people experiencing excessive workloads and stress.

#### *Did you know?*

The findings demonstrate the importance of providing effective support and training to managers, to ensure they are leading their teams in the most appropriate manner.

### **Large businesses likely to make more redundancies**

A survey carried out by YouGov for Acas has found that 30% of British businesses are likely to be involved in staff redundancies in the next 12 months. The poll revealed that while 20% of small and medium-sized businesses had said that they were likely to do so, that number rose to 41% for large businesses. Acas has reminded employers that they need to follow the law in this area to avoid a costly legal process.

#### *Did you know?*

Employers considering redundancies should ensure that they explore all possible alternatives to redundancy and carry out a fair consultation process with affected employees.

### **Applying lower wage was not discrimination**

The employer's directly employed staff were guaranteed to receive at least the London Living Wage. However, this was not the case for those working on outsourced work. A group working on a toilets and cleaning contract brought a claim for indirect race discrimination, on the basis that the provision, criterion or practice (PCP) of applying a lower minimum wage to them had a disparate impact.

#### *Did you know?*

The employment appeal tribunal overturned the tribunal's decision to uphold the claim, as the pool for comparison was too narrow, it should have included all outsourced workers.