

This week in Employment Law

Staying cool in hot weather

While many of us have been looking forward to warmer weather, rising temperatures can cause issues for employers and their staff. We explore what employers need to know.

- Whilst there is no legal maximum workplace temperature at which employees don't have to work, employers still have a duty of care to keep staff safe during hot weather. Relaxing dress codes, offering cool refreshments and allowing fans on desks are all good ways to keep staff motivated and morale high in the workplace.
- With thunderstorms causing flooding in some areas, employers may need to make contingency plans to cover for employees whose commute is disrupted or who can't get to work at all. It is recommended to take a flexible approach to any lateness that is not the employee's fault.
- There is a duty to make reasonable adjustments for employees with a disability that is exacerbated by hot weather. This could include agreeing more frequent breaks, working from home or relaxation of uniform. Employers should also take extra care of workers who may be more at risk from the heat such as older workers, those going through the menopause or pregnant workers.
- An employee can refuse to work if they have a reasonable belief that their workplace poses a serious and imminent threat to their health and they cannot reasonably take steps to avert the danger, so employers should fully consider any concerns that are raised by employees about the heat and make adjustments if necessary.

Employers encouraged to hire ex-offenders

The founder of Offply, which aims to support people with criminal convictions into meaningful employment, has urged employers not to use convictions to refuse an otherwise good candidate a job. Instead, employers should consider if the conviction is relevant to the job being recruited for and if not, "talk to the person and assess them yourself". He said there are 600,000 people with spent convictions looking for work in the UK.

Did you know?

Recruiting ex-prisoners can help employers struggling with labour shortages to fill vacancies and also boost an organisation's reputation as an inclusive employer.

Employment tribunal claim numbers for Q4 2022/2023

The Ministry of Justice has announced employment tribunal claim figures for January to March 2023; during that time it received 23,000 claims. 8,100 of these were single claims, and 15,000 were multiple claims. There were 37,000 single claims in the system at the end of March 2023. They did explain, however, that moving to a new case management system has meant that cases in the new system are not included in the numbers.

Did you know?

Although the Ministry of Justice has said that this may not be a true reflection of the factual position, these figures still highlight the need for employers to act fairly and lawfully to avoid tribunal claims.

Scottish postman loses discrimination claim

A Scottish postman has lost his claim for race discrimination against Royal Mail. The claimant alleged that his manager, who was English, racially discriminated against him by repeatedly saying "I can't understand you" and "screwing up his face" when he said this. However, the employment tribunal found that his manager could not understand him because he spoke too quickly, not because of his accent.

Did you know?

The claimant won a separate claim against Royal Mail for harassment after another manager contacted him while he was absent from work due to stress to ask him why he couldn't work.