

This week in Employment Law

Is it the beginning of the end for remote working?

With companies such as Zoom, Google and Amazon announcing that they are moving away from remote working and adopting a hybrid approach, many employers will be considering what working arrangements are right for them.

- The stance being taken by these well-known companies contrasts with the results of a new survey from Acas which has found that over a third of employers (36%) have seen an increase in staff working from home compared to 2022, with suggestions that the increase might be caused by the rise in the cost of living.
- Following the pandemic, businesses have taken different approaches as to where they allow their employees to work, including returning to the office, working remotely or utilising hybrid working (working from home for part of the working week and in the office for the rest of the week).
- Some may say it is hypocritical for Zoom to require its workforce to return to the office given the nature of its business model, but Zoom, like all businesses, will need to continually review what works best for their business and employees.
- Acas highlights that both remote and hybrid working can help businesses attract and retain staff that value this flexibility and therefore enable them to remain more competitive.
- Employers should keep in mind that they will need to carry out a thorough consultation process if they are proposing to change employees' terms and conditions.

Disabled workers much more likely to be low paid

According to new analysis of statistics published by the TUC, 69% of disabled employees earn less than £15 an hour and are much more likely to be paid less than that amount per hour than non-disabled peers. To address the inequality faced by disabled workers, the TUC is calling on ministers to bring in a legal requirement for employers to regularly report on how much they pay disabled workers compared to non-disabled workers.

Did you know?

The TUC also wants the government to introduce fines for employers that do not deliver disabled workers' legal right to reasonable adjustments in the workplace, to better protect this.

Acas updates sickness absence guidance

Acas has updated its guidance on managing sickness and other types of absence to now include sections on recording and reducing sickness absence, as well as absence trigger points. The guidance highlights that employers must not discriminate against employees when recording absence, i.e. a disabled employee who takes time off for medical treatment will have a higher absence level than other employees.

Did you know?

The guidance points out that recording some absences separately, such as those that are pregnancy or disability related, can help to avoid discrimination when the employer takes steps to manage this.

Unfair dismissal despite sexually explicit website

The claimant, who worked for Natwest, was found to be operating websites which contained sexually explicit content and offered 'sex work'. The claimant gave the Natwest Branch as his address and stated that he worked for them. The respondent, however, prior to dismissal, did not meet with him to discuss the allegations and did not warn him that they were considering a dismissal, nor did they give the right of appeal.

Did you know?

The claimant was successful in his unfair dismissal claim, but the tribunal found that he had contributed to the dismissal, and so they reduced both the basic and compensatory award by 100%.