

Because employment matters

EMPLOYMENT LAW E-BULLETIN - August 2024

Welcome to our August e-bulletin. As we await the end of the UK parliament summer recess, this month we take a look at what the King's Speech tells us about the new UK Government's priorities on the employment law front. We also have a number of case reports, the first highlighting how easy it is for employers, even with the best of intentions, to fall foul of National Minimum Wage rules. There is also a timely reminder of the need to exercise care when dealing with redundancies, particularly when those at risk are pregnant or have taken certain family friendly leave. As well as our usual employment law round up, we also look at an ongoing hot topic - that of the need to balance conflicting rights in the workplace.

Our Essential Employment Law Webinars return on 22 August starting with managing poor performance in the workplace. For details on how to book for this and the rest of this year's webinars see below.

Our guest podcast this month features Tatiana Pignon from the Autonomy Institute discussing a follow up report on the 4 day working week pilot that took place in the UK in 2022. Scroll down for links to this and all of our other recent podcasts.

MEET OUR EMPLOYMENT LAW PARTNERS



Innes Clark
Head of Employment Team

Contact



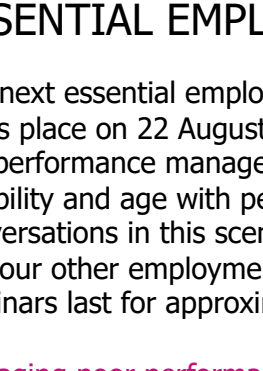
Lindsey Cartwright
Partner

Contact



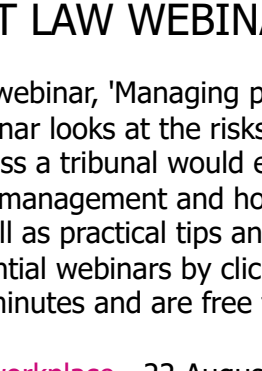
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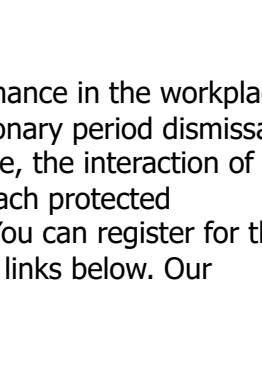
Sarah Gilzean
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Kenny Scott
Partner

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David Walker
Partner

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ESSENTIAL EMPLOYMENT LAW WEBINARS

Our next essential employment law webinar, 'Managing poor performance in the workplace' takes place on 22 August. The webinar looks at the risks of probationary period dismissals, the performance management process a tribunal would expect to see, the interaction of disability and age with performance management and how to approach protected conversations in this scenario, as well as practical tips and a Q&A. You can register for this and our other employment law essential webinars by clicking on the links below. Our webinars last for approximately 50 minutes and are free to attend.

[Managing poor performance in the workplace](#) - 22 August 2024

[Preventing Sexual Harassment at Work](#) - 19 September 2024

[Employment law question time](#) - 8 October 2024

[Employment law: menopause and menstrual health](#) - 3 December 2024

[What to expect in employment law 2025](#) - 9 January 2025

Our webinars are applicable to the law of Scotland, England and Wales. If you can't attend on the day, please register anyway and we will send you a recording of the webinar.

Feedback from recent attendees at these seminars include "Really useful and informative. Presented at a really good pace with the right amount of detail included, pitched at the right level", "very informative and accessible", and "All the speakers were very practical as well as knowledgeable".

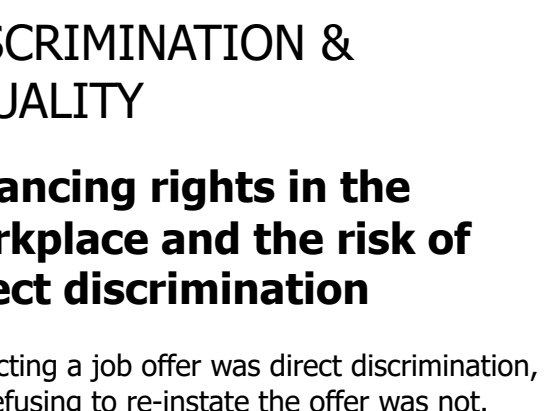
Links to our recent essential employment law webinars can be accessed [here](#)

FUTURE EMPLOYMENT LAW

The King's Speech - no surprises but some clarity on employment law related legislative priorities

Two new employment law bills were announced during the King's Speech.

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DISCRIMINATION & EQUALITY

Balancing rights in the workplace and the risk of direct discrimination

Retracting a job offer was direct discrimination, but refusing to re-instate the offer was not.

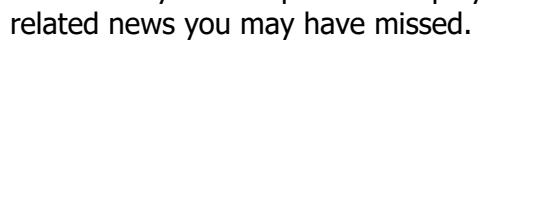
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NATIONAL MINIMUM WAGE

National Minimum Wage - can't do right for doing wrong?

Employer's voluntary holiday savings scheme for workers resulted in breach of National Minimum Wage.

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REDUNDANCY

A little care gets you there - avoiding redundancy pitfalls in light of increased maternity protections

A recent case is a timely reminder of the importance of a properly thought out approach to making redundancies, particularly when any of those at risk are pregnant or within 18 months of the birth of a child.

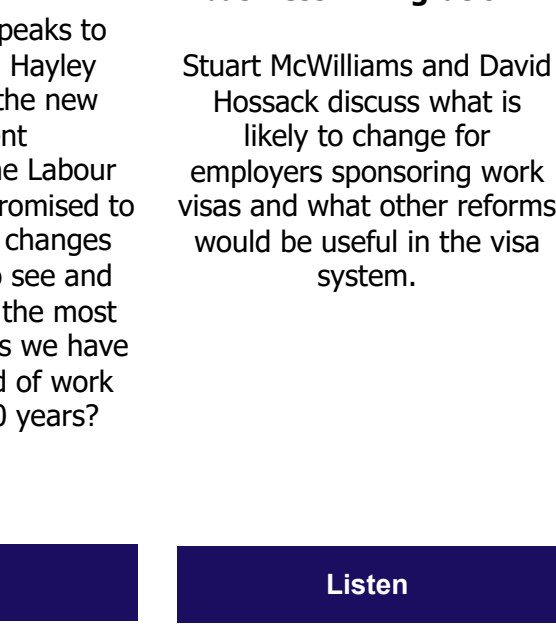
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ROUND UP

Employment Law Round-up

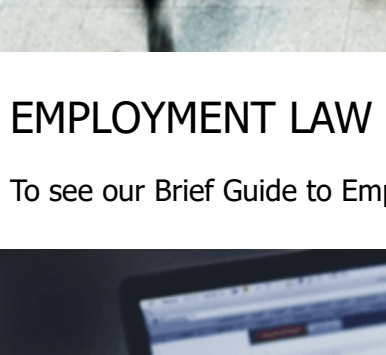
Our monthly round up of the employment law related news you may have missed.

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OUR EMPLOYMENT LAW PODCASTS

Our most recent employment law podcasts can be listened to at the links below.



The Four Day Working Week

We are joined by Tatiana Pignon from the Autonomy Institute to discuss a follow up report looking at the longer term effects of a four-day working week pilot that took place in the UK in 2022.

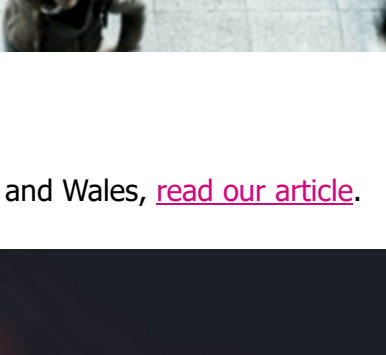
Listen



The King's Speech - Employment Law Reform

David Hossack speaks to Innes Clark and Hayley Johnson about the new employment legislation that the Labour Government has promised to introduce - what changes can we expect to see and when? Are these the most significant changes we have seen to the world of work over the past 20 years?

Listen



Will the new Government change the rules for business immigration?

Stuart McWilliams and David Hossack discuss what is likely to change for employers sponsoring work visas and what other reforms would be useful in the visa system.

Listen

You can find all of our latest podcasts on our website.

WEBSITE

EMPLOYMENT LAW GUIDE

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



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 advance insurance, if required)

Morton Fraser MacRoberts always offer practical, solutions-based advice and make complex legal matters easier to understand.

Chambers and Partners 2024 Edition

Please contact innes.clark@mfmac.com if you have any questions or would like to discuss your requirements in more detail.

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. Contact innes.clark@mfmac.com to find out more.

OUR APP

You can download our free Employment Law App, MFMac HR for both [Android](#) and [iPhone](#).

This includes calculators for unfair dismissal awards, maternity pay and statutory redundancy payments, as well as key employment law facts, figures and fingertip guides. It also includes this monthly e-bulletin and access to all of our employment law podcasts.

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 employment team contact:-

- [Lindsey Cartwright](#) on 0141 274 1141
- [Innes Clark](#) on 0131 247 1181z
- [Alan Delaney](#) on 0131 247 1263
- [Sarah Gilzean](#) on 0131 247 1157
- [Kenny Scott](#) on 0131 248 2255
- [David Walker](#) on 0141 274 1146