



# Employment Law History

White paper on  
the evolution of  
**employee rights**

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# Table of Contents

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Introduction	4
Legislation through the years 1906 - 2015	5
The Trades Disputes Act 1906	6
The Old Age Pension Act 1908	7
Trade Boards Act 1909	7
National Insurance Act 1911	7
Education Act 1944	8
National Insurance Act 1946	9
Factories Act 1961	9
Contracts of Employment Act 1963	9
Redundancy Payments Act 1965	9
Race Relations Act 1965	9
Ford Sewing Machinists Strike of 1968	10
Employer's Liability (Defective Equipment) Act 1969	11
Employer's Liability (Compulsory Insurance) Act 1969	11
Equal Pay Act 1970	11
Industrial Relations Act 1971	11
Trade Union and Labour Relations Act 1974	12
Health and safety at work Act 1974	12
Sex Discrimination Act 1975	13
Employment Protection Act 1975	13
Transfer of Undertakings Regulations 1981	13
The Equal Pay (Amendment) Regulations 1983	13
Employment Act 1990	13
Trade Union and Labour Relations (Consolidation) Act 1992	13
Disability Discrimination Act 1995	14

# Table of Contents

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Employment Rights Act 1996	14
Protection from Harassment Act 1997	14
Data Protection Act 1998	15
Working Time Regulations 1998	15
National Minimum Wage Act 1998	15
Human Rights Act 1998	16
Maternity and Parental Leave Regulations 1999	16
The Sex Discrimination (Gender reassignment) Regulations 1999	16
Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000	17
Fixed Term Workers (Prevention of Less Favourable Treatment) Regulations 2002	17
Paternity and Adoption Leave Regulations 2002	17
The Employment Equality (Sexual Orientation) Regulations 2003	17
Pensions Act 2004	17
Employment Equality (Age) Regulations 2006	17
Pensions Act 2007	17
Working Time (Amendment) Regulations 2007	18
Pensions Act 2008	18
Equality Act 2010	18
Pensions Act 2011	18
Shared Parental Leave Regulations 2014	18
Modern Slavery Act 2015	19
Conclusion	20
Addendum	21

# Introduction

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While labour law regulations have existed ever since people started paid work, employment law was primarily shaped during the 20th century. From the late Middle Ages to the Industrial Revolution, when Britain organised half the world's production across one third of the globe and over one quarter of its population, laws administering employment weaved the framework that led to the changes of the 20th century.

Although the beginning of the century was marked by the first attempts to shape employment relationships and working conditions to the direction we know today, the shock of war accelerated developments. The brutality of the Western Front during World War I required the participation of every capable person. As a consequence, women took over traditional men's jobs massively, thus helping the suffragette movement gain momentum. The end of the war sparked the wave of changes in labour, reverberating the words of the Versailles Treaty, that "Peace can be established only if it is based on social justice."

From that moment on, employment rights and duties were carved bearing in mind to build a relationship of mutual trust and confidence between employers, employees and the government. A relation that would guarantee the best possible protection of every party involved, aiming at maintaining Britain as a major economic power, a successor of the 'workshop of the world', in a world more fluid and competitive than ever before.

# Legislation through the years **1906 - 2015**

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## The Trades Disputes Act 1906

The 1906 Trade Disputes Act was a landmark in the history of union trades. It came at a time when trade unions were under pressure from employers and provided a statutory right to peaceful picketing, repealing the precedent set by the Taff Vale railway men case in 1900, which made trade unions liable for damages caused during a strike.

The economist, J. Schumpeter, noted

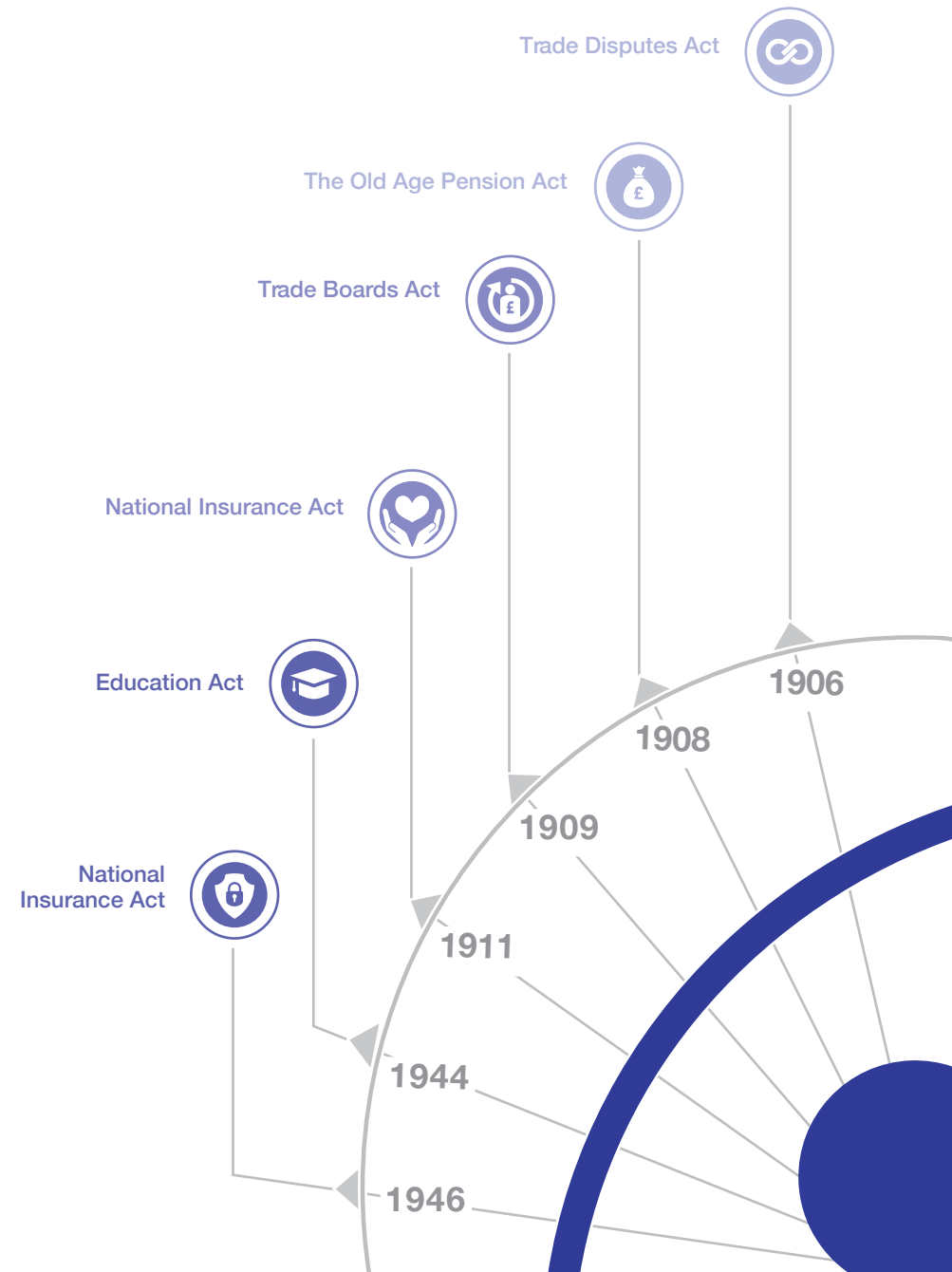
- ▶ “it is difficult to realise, in the present time, how this measure must have struck people who still believed in a state and in a legal system that centered in the institution of private property. For in relaxing the law of conspiracy in respect to peaceful picketing – which practically amounted to legalisation of trade-union action implying the threat of force – and in exempting trade-union funds from liability in action for damages for torts – which practically amounted to enacting that trade unions could do no wrong – this measure, in fact, resigned to the trade unions part of the authority of the state and granted them a position of privilege which the formal extension of the exemption to employers’ unions was powerless to affect.” ◀

**Source:** J.A.Schumpeter, “Capitalism, Socialism and Democracy”, Harper & Brothers 1942 p.321

The Act was part of the foundation of the country’s system of collective bargaining, and also set a precedent for law changes abroad. In conclusion, employees were able to picket, without being afraid that any damage caused during a strike would hold them responsible collectively.

This opened the way for employees to actively proceed to collective bargaining in numerous issues that would upgrade their working and living conditions.

Employers were not directly affected by the legislation. Nevertheless, they had to review their relationship with their workforce, which now had a bargaining tool supported by legislation – to demand by demonstration.





## The Old Age Pension Act 1908

The Act determined an old age pension for people over 70, with younger generations sustaining its cost. It was implemented in January 1909, providing a weekly pension of 5 shillings a week. The pension was low in order to encourage workers to make their own savings for retirement. To be eligible to receive a pension, one had to be over the age of 70, be a British subject and a UK resident for 20 years, with an annual income that did not exceed £31.10s. David Lloyd George marked that the Act would “lift the shadow of the workhouse from the homes of the poor” – a reference to the Poor Law that dictated the status of unemployed able-bodied people. In order for these pensions to be paid, government revenues had to rise by an additional £16 million a year.

Therefore, in 1909, Lloyd George announced what came to be known as the “People’s Budget”. This included a tax increase that was adapted to the income, so as to be undertaken by the most affluent, especially by a super tax of 6 pence in the pound for those earning more than £5,000 a year.

## Trade Boards Act 1909

The Act provided for the creation of boards, which could set minimum wage criteria that would be legally enforced. The main goal was to set minimum wages in certain trades that traditionally had low wages due to an excess of available workers or because they required unskilled labour. Initially, the Act applied to domestic chain making, ready-made and wholesale bespoke tailoring, paper-box making, and the machine-made lace and finishing trade. In these industries, in which wages were deemed extremely low, boards were established, consisting of equal numbers of employers’ and workers’ representatives, plus independent members nominated by the state. This way, these boards were a form of compulsory arbitration on pay.

It was actually the first attempt to control low pay. Researchers argue that the Act was a modest measure to combat sweating, both in economic and social thinking, given that its initial purpose was to eradicate it.

Sweating was a centuries old tradition that became a public issue during the late 19th century. It was defined as “earnings barely sufficient to sustain existence...hours of labour injurious to the health of the person employed and ...dangerous to the public”. [Select committee on the sweating system, Fifth Report, (Parliament Papers, 1890, XVII), pp. xlii-xliii]

The first time sweated labour received publicity was through Thomas Hood’s “Song Of The Shirt” in 1843.

It is as if the Act came as a response to the poem’s last verses:

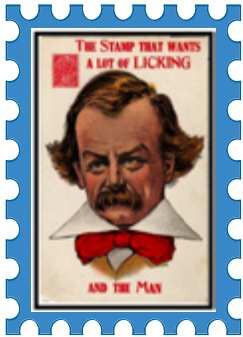
► With fingers weary and worn,  
With eyelids heavy and red,  
A woman sat in unwomanly rags,  
Plying her needle and thread  
Stitch! stitch! stitch!  
In poverty, hunger, and dirt,  
And still with a voice of dolorous pitch,  
Would that its tone could reach the Rich!  
She sang this “Song of the Shirt! ◀

## National Insurance Act 1911

The Act founded a system of health insurance for workers in the British industry based on employer contributions, the government and the workers themselves. It was one of the bases of the welfare state.

It was part of the wider social welfare reforms of the Liberal Government of 1906-1915 and David Lloyd George, then Chancellor of the Exchequer, introduced it. Lloyd George was inspired by the German legislation that granted compulsory national insurance against sickness from 1884.

The British working class was thus given the first contributory system of insurance against illness and unemployment.



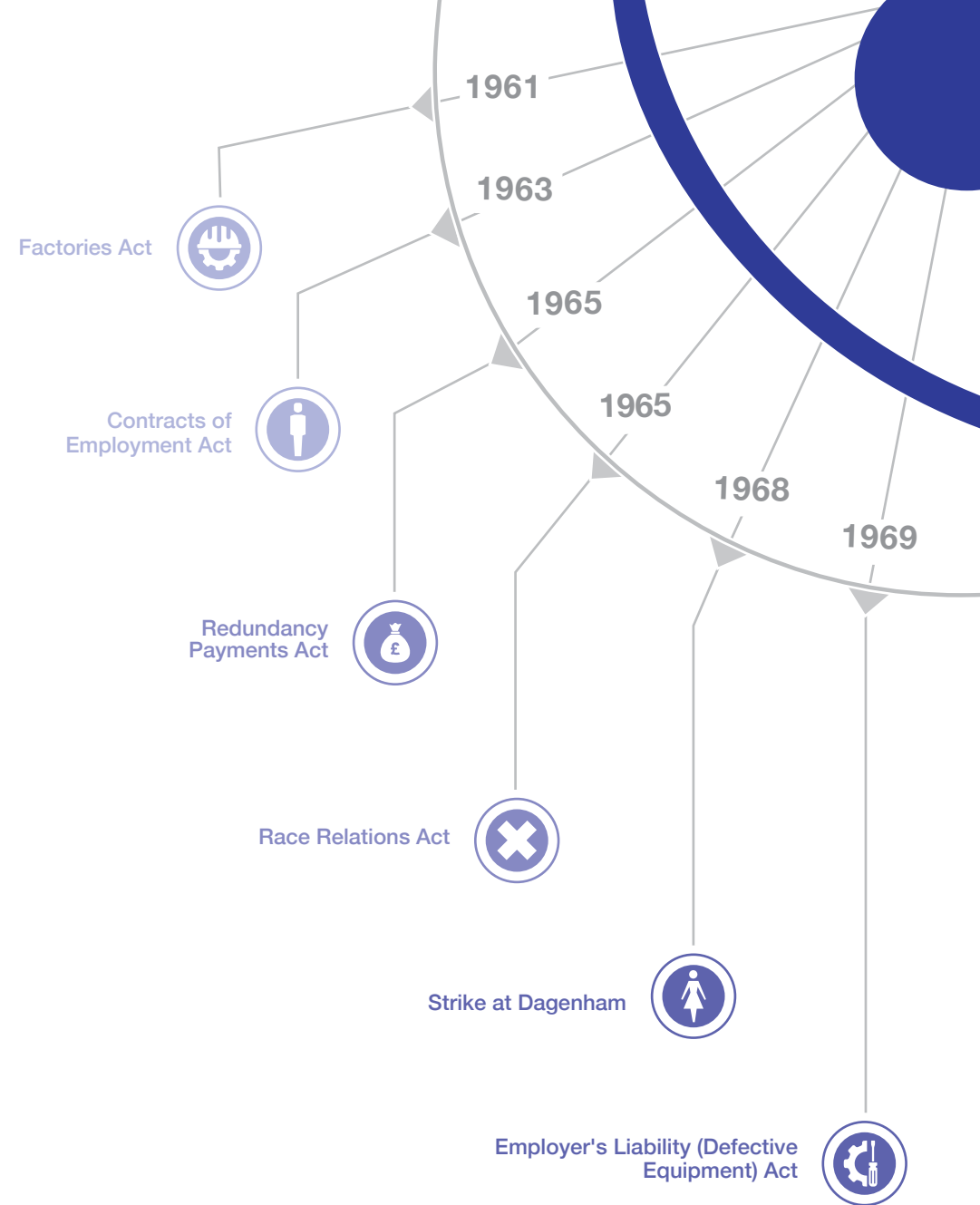
Some trade unions that operated their own insurance schemes initially opposed it but Lloyd George convinced most of them to support the proposal. The Act also removed the need for unemployed workers to rely on the stigmatised social welfare provisions of the Poor Law, having a positive psychological impact on the British working class.

► **Caption:** The National Insurance Act sparked opposition from the right. One aspect of the protests against it was the anti-stamp licking campaign, initiated by middle-class women who 'saw fixing insurance stamps to the contribution cards of their servants as an affront to their dignity.' ◀

**Source:** L. McFall, "Devising Consumption – Cultural Economies of Insurance, Credit and Spending", Routledge 2015 p.49

## Education Act 1944

The Education Act of 1944 came as an answer to both social and educational demands that were created by the war. It became a duty for local educational authorities to provide school meals and milk and, most importantly, protected female teachers from getting dismissed upon marriage.





## National Insurance Act 1946

The Act established a comprehensive system of social security throughout the UK. All people of working age had to pay a weekly contribution and were subsequently entitled to a vast range of benefits, including Retirement Pensions, Unemployment Benefits, Sickness Benefits, Widow Benefits and Guardian (or Orphan) Allowances.

Criticism of the Act focused on the fact that there were categories like married women and a number of self-employed workers that were not included. The historian, Kenneth O. Morgan, stated that the Act constituted “a measure which provided a comprehensive universal basis for insurance provision that had hitherto been unknown”.

▶ Winston Churchill objected to this policy, labeling it “socialist” and “abhorrent to British ideas on freedom”. The Labour Party that introduced the policy defended it by outlining that “a high and constant purchasing power can be maintained through good wages, social services and insurance”. ◀

**Source:** [Stephen Brooke, “Reform and Reconstruction: Britain After the War, 1945-51”, Manchester University Press 1995, p. 37]

The average worker contributed nearly 5% of their income; contributions were compulsory for employers and employees, with the government funding the balance.

## Factories Act 1961

The Act enforced legislation on welfare, health, and safety in the workplace. Although not all of it remains in force, the Act continues to apply in cases of chronic exposure to industrial noise or carcinogens.

The Act was the completion of a line of laws under Factory Acts that were initiated in 1802. The health and workplace conditions of the workers improved and penalties would apply to non-compliant employees.

## Contracts of Employment Act 1963

The Act is considered the first modern employment protection statute, since it establishes the obligation of giving reasonable notice before dismissal as well as written details of a contract of employment. If the employer refused to give the written statement, the employer faced a fine, but the Labour government repealed it in 1965.

## Redundancy Payments Act 1965

The Act introduced the principle that people would have the right to a severance payment if their jobs became economically unnecessary to the employer – provided they had stayed in the job for a certain period of time.

The functions were to shift part of the social costs of unemployment to the employer and compensate employees for losing their jobs. Also, employers would think more carefully before making people redundant and a minimum amount of money was provided to employees in case future employment could not be immediately found.

## Race Relations Act 1965

The Act was the first to address racial discrimination. It prohibited discrimination on the “grounds of colour, race, ethnic or national origins” in public places. It led to the creation of The Race Relations Board in 1966 to consider complaints under the Act.

The main reason for the Act’s introduction was the influx of economic migrants after World War II; most of them came from the Commonwealth countries, and racial incidents occurred en masse after that.

The legislation had been announced in the 1964 Labour manifesto. Between the implementation of the Act and 31 March 1967, 309 complaints were received, of which only 85 fell within its scope.

- ▶ An article that was published shortly after the passing of the Act, noted: “The Race Relations Board recently reported that out of 309 referred cases, 224 referred to matters outside its powers, including 97 on jobs and 23 on housing. Of the remaining 87, 17 had been settled out of court, 2 had been referred to the Attorney General and 31 were being looked at.” ◀

**Source:** Beauchamp – ‘Racialism in Britain Today and How to Fight It’, Marxism Today, July 1967, p. 203

## Ford Sewing Machinists Strike of 1968

It was the event that triggered the passing of the Equal Pay Act 1970. Women who made car seat covers and walked out of the factory on 7 June 1968, demanded equal pay with men for the same job. The cause for the strike was the fact that women were informed that their jobs were degraded, falling to Category B from Category C, and that they would be paid 15% less than what men receive in the same category. Inspired by the strike, women trade unionists founded the National Joint Action Campaign Committee for Women’s Equal Rights, which held an “equal pay demonstration” in Trafalgar Square on 18 May 1969.

- ▶ The impact was huge, especially when the Ford Halewood Plant in Liverpool joined the action. Bernie Passington, convenor for the T & G union who fought for the women at the car plant said “It shook them to the core. And being women, the mighty Ford motor company got women in dispute... It was something new. It shut the place down, they were laying people off.”

**Sheila Douglas:** “It wasn’t the done thing at the time.”

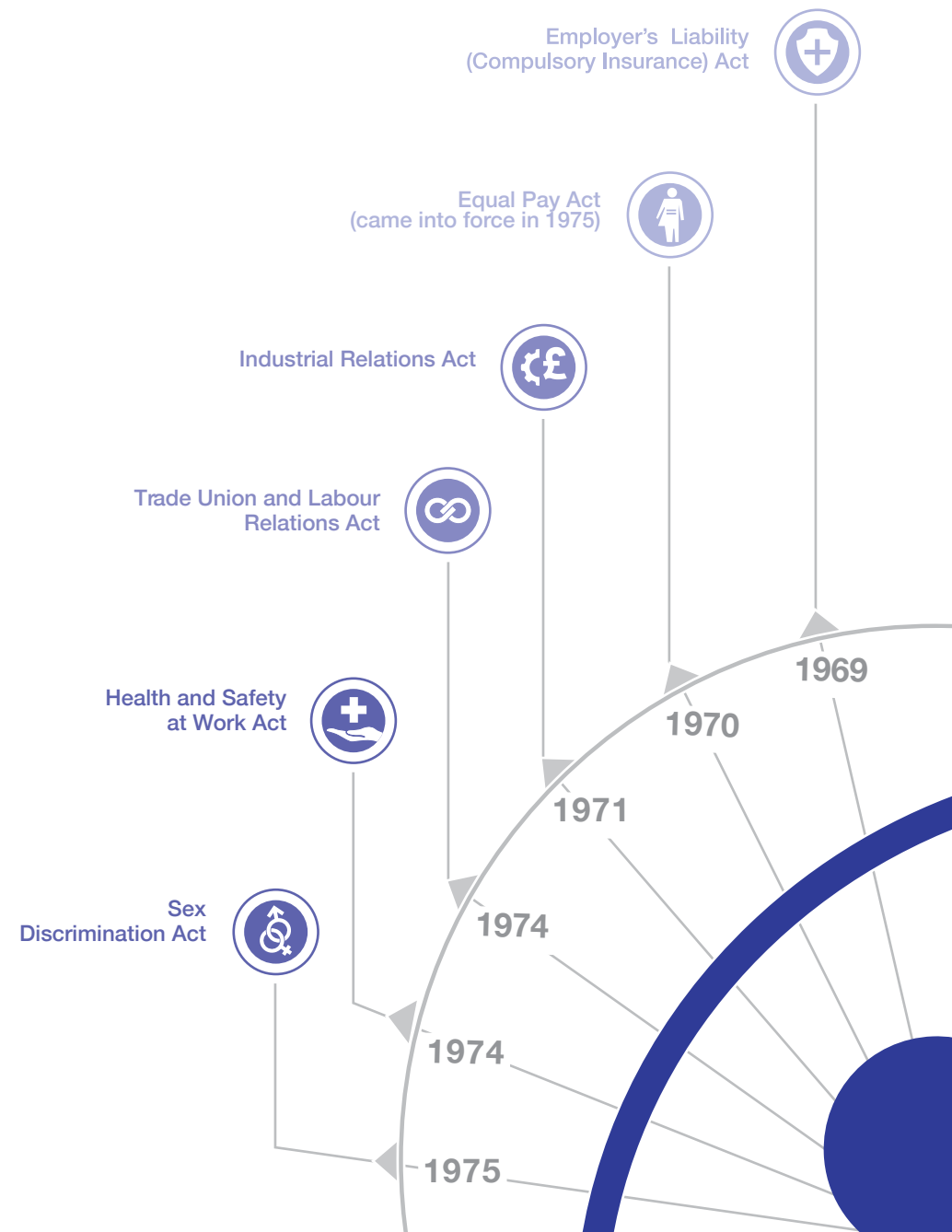
**Violet Dawson:** “It frightened them.”

**Sheila:** “We didn’t think we were that strong.”

**Violet:** “We didn’t think we could bring Ford to a standstill.”

**Sheila:** “It was a surprise to us as well as everybody else. We didn’t think we were going to fetch the whole Ford Empire to its knees, as you might say, but that’s what happened eventually. And it was all down to us, us ladies. And we were ladies, whatever anybody else may say.” ◀

**Source:** Crocker, Becky – “The real story of Made in Dagenham”, Workers’ Liberty, 14 July 2008



## Employer's Liability (Defective Equipment) Act 1969

It makes employers liable for defective equipment that causes any injuries. Its purpose was to make sure that employers insure their staff in compliance with the laws and rules that protect them from health and safety risks.

What is 'defective equipment'? The interpretation sometimes extends beyond tools, as it is determined in the case of *Coltman v. Bibby Tankers* (1987).

In the mentioned case, the employer was charged for negligence under the Act after being found guilty over the death of a man on a defected ship, although the word 'ship' is not mentioned in the definition of the word 'equipment.'

## Employer's Liability (Compulsory Insurance) Act 1969

This Act of Parliament requires employers to provide insurance for any personal injury on the job. Besides being insured, employers have to post details of the insurance for their employees to see. The Act applies to the majority of companies, with the exception of public organisations.

## Equal Pay Act 1970

The Act establishes equal treatment between the two sexes in terms of employment conditions and pay. Equal Pay was adopted as a core principle of the European Economic Community in 1957 (European Treaty, Article 141).

The UK trade unions made frequent use of European legislation in order to promote gender equality. The impending entry of the UK into the EU in 1973 was a factor that accelerated progress on that matter.

It is an Act that still defines the way equal pay claims are ruled. A group of female workers in the West Midlands won a Court of Appeal decision on equal pay claims in 2011. The case involved 174 former employees of Birmingham City Council.

The ruling opened the way for potential claimants in both the private and public sector who thought their claims were outside tribunal time limits to pursue actions for compensation. The council said it was 'disappointed' and was considering its next step, which could include an appeal.

Appeal judges unanimously ruled Birmingham City Council had failed to establish that the deputy judge's ruling on the 1970 Equal Pay Act was wrong or in any way flawed. The women, who worked as cooks, cleaners, caterers and care staff, claimed they were excluded from getting the bonuses handed out to employees in traditionally male-dominated jobs.

▶ Linda Manders, 59, worked for the council for 10 years as a lunchtime supervisor at a school. She said: "Not being able to claim the pay I was entitled to is simply not right and this judgment helps me and others like me who may now be able to recover what they should have been paid over many years." ◀

Source: BBC

## Industrial Relations Act 1971

The Act aimed to curtail industrial dispute and establish a claim of unfair dismissal. Workers were granted the right to be or not to be members of trade unions, either unregistered or registered. The latter had legal rights and wildcat strikes (strikes undertaken by unionised workers without the union leadership's authorisation, support, or approval) were limited.

On 8 January 1972, shortly before the provisions of the act came into force, a miners' strike broke out. The strike that came to be known as the 1972 UK miners' strike was the culmination of a resentment that had been growing from 1962 over mine closures and losses of jobs.

The Economist magazine wrote that the "miners cannot stop the country in its tracks as they once could have done". Ex-Labour MP Woodrow Wyatt declared in the Daily Mirror that the miners had "more stacked against them than the Light Brigade in their famous charge".

The anti-strike provisions of the Act came into force on the day the strike ended, 28 February 1972. Nevertheless, the impact of the six-week strike was of such volume that the Act was repealed on 31 July by the minority government that was formed by the Labour Party.

## Trade Union and Labour Relations Act 1974

The Act regulates the legal and functioning status of trade unions and guarantees the immunity of unions that take strike action following a trade dispute.

## Health and safety at work Act 1974

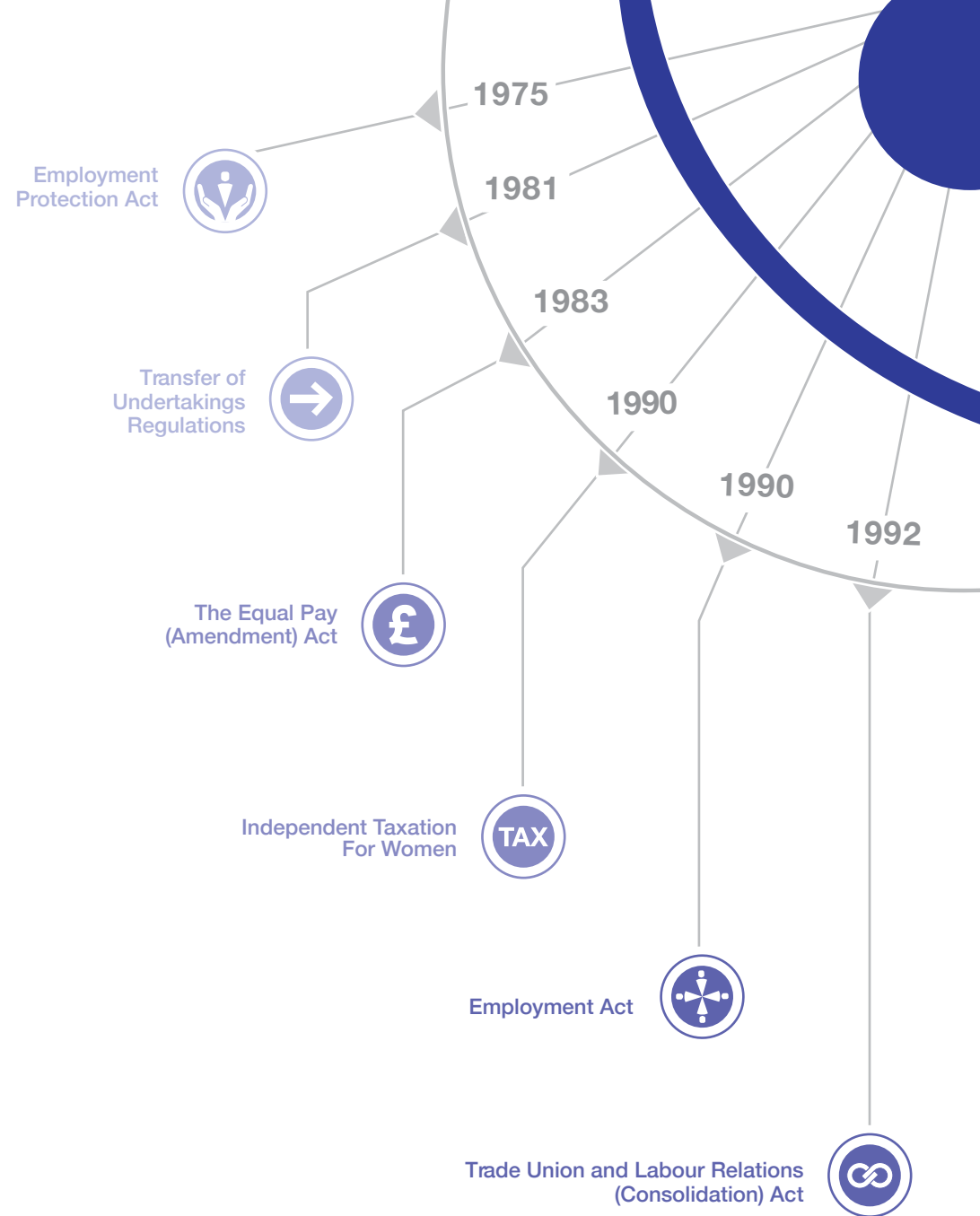
The Act secures health, safety and welfare of people at work. The Health and Safety Commission and Health and Safety Executive were created, thus establishing a system of public supervision. These public bodies had extensive enforcement powers, backed by criminal sanctions.

- ▶ Hugo Boss has been fined £1.2M after a four-year-old boy died at one its shops. Austen Harrison was killed by an 18-stone (114kg) changing room mirror, which fell on him at the Hugo Boss outlet in Bicester Village in 2013. Hugo Boss admitted to health and safety breaches at a hearing at Banbury Magistrates' Court for failing to secure mirror.

Jonathan Laidlaw QC, defending, entered a guilty plea for the company to offences under the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999. An inquest concluded the mirror should have been fixed to a wall, while coroner Darren Salter described the incident as 'an accident waiting to happen.'

In sentencing the company today (4 Sep), Oxford Crown Court Judge Peter Ross said Hugo Boss had a 'corporate responsibility', and he wanted to ensure the issue went to the 'very top of the company.'

Source: SHP



## Sex Discrimination Act 1975

The Act protects individuals from discrimination on the grounds of sex or marital status, while establishing “a Commission with the function of working towards the elimination of such discrimination and promoting equality of opportunity between men and women generally.” The Act covered the fields of education, training, employment, harassment, goods’ provision and the disposal of premises.

- ▶ Chief petty officer Jacqueline Cartner began a tribunal after she was passed over for promotion to warrant officer. CPO Cartner, based at HMS Collingwood, in Hampshire, could receive a payout the equivalent of 10 years’ pay if an agreement is not reached with the Navy. CPO Cartner’s solicitor, Kam Bains, said the tribunal ruled the Royal Navy had discriminated against the sailor, contrary to the Sex Discrimination Act 1975.

The case, heard in Southampton, concerned the decision of the Royal Navy’s annual promotion board in 2008, where CPO Cartner was the only female candidate considered for promotion against a number of male candidates. She claimed she was a better candidate because she had carried out the role of warrant officer in an acting capacity since February 2006, while none of her competitors had performed at that level. She also asserted that she was seen as less worthy of promotion on the grounds of her non-seagoing status. CPO Cartner was selected as the NATO Military Member of the Year in 2000 and awarded an MBE in 2001.

Mr Bains said she had received excellent appraisals throughout her career, having been promoted to each and every rank faster than every one of her competitors and regularly outperformed other male peers. The mother-of-two, who serves at Fareham-based HMS Collingwood and is married to a Royal Naval officer, said: “This has been a very long and painful road for both me and my family, and I am sad that it has had to come this far. However, I am glad that the tribunal ruling has served to vindicate my claims of sex discrimination.” ◀

Source: BBC

## Employment Protection Act 1975

The Act established machinery for promoting the improvement of industrial relations and aimed to amend the law relating to workers’ rights and provide for the establishment and operation of a Maternity Pay Fund. It provided for the extension of the jurisdiction of employment tribunals and amended the law relating to the entitlement and recoupment of unemployment and supplementary benefits. Among other things, it made it unlawful to dismiss someone on the grounds of pregnancy or maternity leave.

## Transfer of Undertakings Regulations 1981

The Act safeguards the terms and conditions of employees when the business they are working in is transferred to a new employer.

## The Equal Pay (Amendment) Regulations 1983

In accordance to the Schedule 2 of the European Communities Act 1972, it sought to ensure that women were paid the same as men to work for equal value.

## Employment Act 1990

All forms of closed shop (a place of work where all employees must belong to one trade union) were made illegal.

## Trade Union and Labour Relations (Consolidation) Act 1992

It is the Act that regulates British Labour Law. The Act’s effect is to define Trade Unions and their legal rights and duties. Also, the Act protects the rights of workers when they participate in or leave a union. Additionally, it specifies the framework for a union to engage in collective bargaining with employers.

The Act protects the rights of workers in a union to take action in order to support and defend their interests, when it is ‘in contemplation or furtherance of a trade dispute.’

## Disability Discrimination Act 1995

The Act prohibited discrimination against people's disabilities. It dictated the requirements that had to be undertaken by employers to facilitate access to services, buildings and goods for people with disabilities.

- ▶ In its first report on disability discrimination cases, the government said that, in the 19 months after the introduction of the Disability Discrimination Act (DDA) 1995, 92 cases were taken out against employers. The most common DDA cases involved depression, anxiety disorders, back and neck problems and disabilities connected with the arms and hands. The study also shows that people who took out cases under the DDA were motivated more by a desire for justice than a wish for financial compensation. ◀

Source: BBC

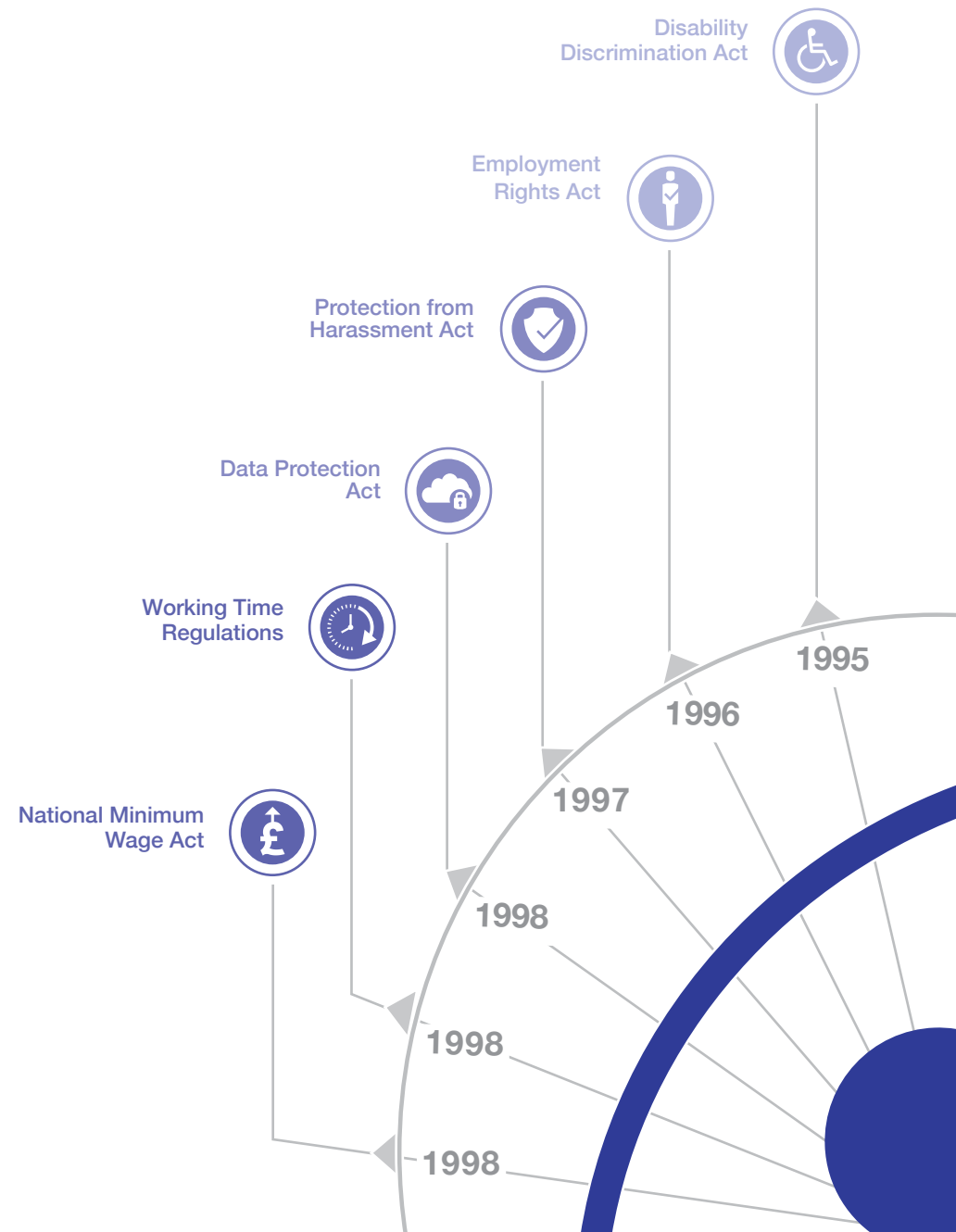
## Employment Rights Act 1996

The Act applied the existing law on individual employment rights. It included measures concerning disclosure, time off, unfair dismissal and redundancy payments, among others.

## Protection from Harassment Act 1997

The aim of this bill was to protect against harassment, stalking and any form of persistent conduct, which causes fear or distress to people. The Act resulted from the efforts of Evonne Leonora von Heussen, who founded the National Association for Victims of Stalking and Harassment in 1993, when her daughter was stalked.

The passing of this Act was described as 'hasty', 'unimpressive', and 'unsatisfactory', even 'a breach of human rights.'





- ▶ A former NHS worker was recently awarded £933,115 in compensation after an employment tribunal found that he had been subject to racial discrimination and unfair dismissal. Elliot Browne was a divisional director at Central Manchester University NHS Foundation Trust until he was dismissed in 2008. Browne told an employment tribunal that he had been the victim of 'discriminatory treatment' in the final year of his employment at the trust and had been unfairly dismissed.

The tribunal found that Browne had suffered 'systematic discrimination' and 'an intimidating environment' in his role, and that after Browne had raised a grievance the trust had failed to take it seriously or investigate it sufficiently. Browne claimed that the treatment severely affected him and left him close to a 'mental breakdown.' Despite the trust's claim that it believed strongly that discrimination was not a factor in the case. The tribunal awarded Browne £933,115 for unfair dismissal, aggravated damages and loss of earnings and pension. Unite, which represented Browne in the tribunal, called for the trust to 'tackle its culture of institutionalised racism'.

The expenditure of almost £1M of taxpayers' money could have been avoided if this employer had just followed its own policies and procedures – experts say. ◀

Source: HR & Diversity UK

## Data Protection Act 1998

The Act is the main piece of legislation that governs the data protection. It defines the law of processing data on identifiable living people and most of it does not apply to domestic use. Anyone holding personal data for other purposes is legally liable to comply with this Act, with a few notable exceptions.

- ▶ Sony Computer Entertainment Europe has been fined £250,000 following a 'serious breach' of the Data Protection Act. UK authorities said a hack in April 2011 'could have been prevented.'

The Information Commissioner's Office (ICO) criticised the entertainment giant for not having up-to-date security software. Sony told the BBC it 'strongly disagreed' with the ruling and planned to appeal.

"Criminal attacks on electronic networks are a real and growing aspect of 21st century life and Sony continually works to strengthen our systems, building in multiple layers of defence and working to make our networks safe, secure and resilient," a spokesman for the firm added.

The company had previously apologised for the hack, which saw its PlayStation Network knocked offline for several days. In May 2011 company executives bowed in public and offered users free games to show their remorse. ◀

Source: BBC

## Working Time Regulations 1998

The regulations of the Act define the time that people may work. The regulations apply to workers and employees and designate minimum rest breaks, daily and weekly rests, and the maximum average working week. It states that workers may work no more than 48 hours per week. Nevertheless, someone may opt out. It also grants the right to paid annual leave (minimum 28 days). Finally, it establishes a minimum rest period of 20 minutes in any shift lasting over 6 hours.

## National Minimum Wage Act 1998

Prior to this Act, no national minimum wage existed. The Act establishes a minimum wage across the UK and an amendment to the act in 2006 created the obligatory National Living Wage for workers over 25. Today, the minimum hourly wages for workers are £7.50 (over 25 years old), £7.05 (21-24) and £5.60 (18-20).

## Human Rights Act 1998

The Act incorporated elements from the European Convention on Human Rights into the UK law. According to the Act, no public body can act in a way that is contradictory to the Convention.

Also, it instructs the judiciary to interpret legislation in a way that agrees with the European Convention. In any case, the Human Rights Act always tries to preserve the principle of Parliamentary sovereignty, while individuals enjoy the right to sue in the ECHR (European Court of Human Rights) in Strasbourg. In their 2015 election manifesto, the Conservative Government proposed to replace the Human Rights Act with a 'British Bill of Rights.'

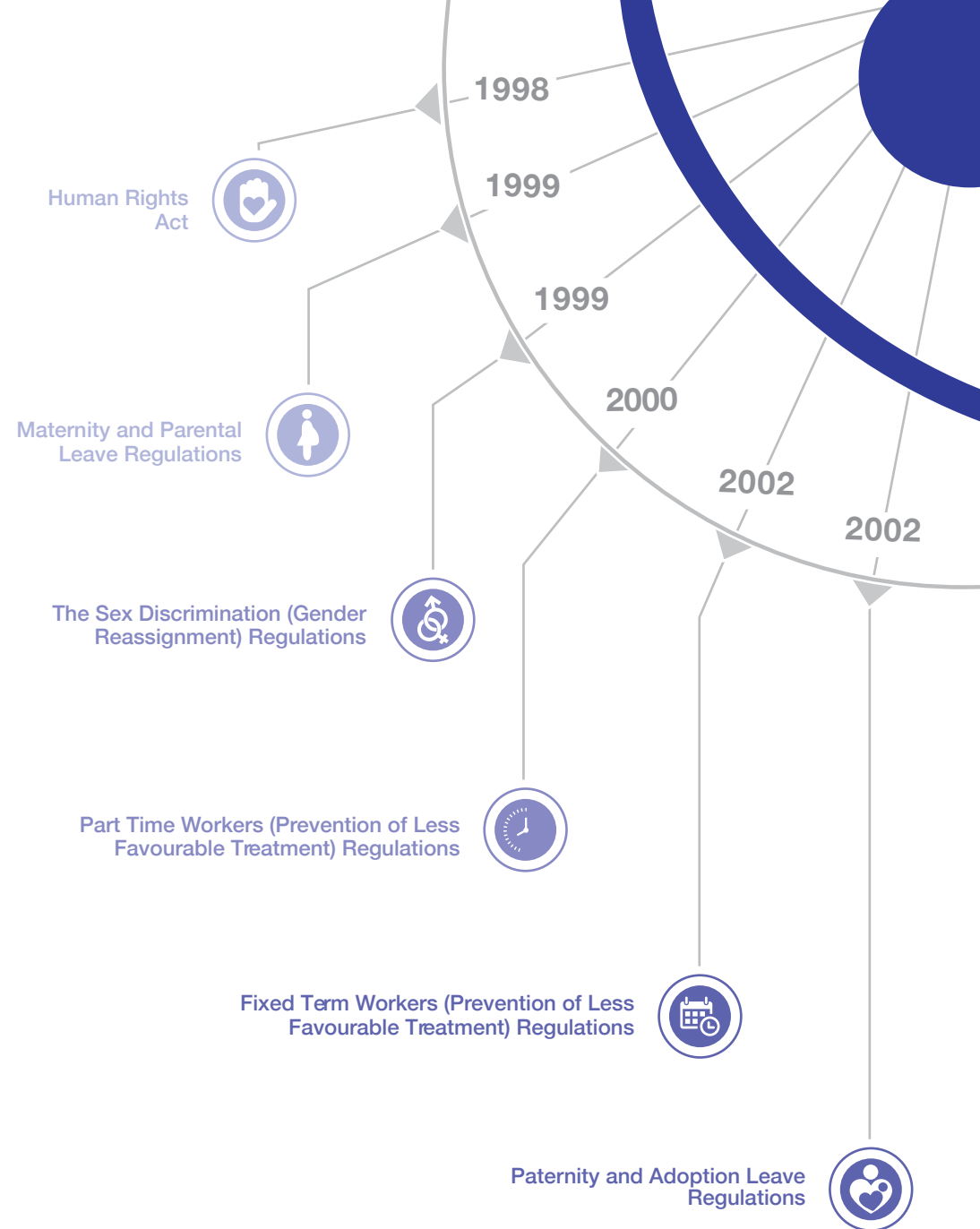
## Maternity and Parental Leave Regulations 1999

The Act specifies the right to maternity and parental leave. The leave period for maternity reasons is set at 52 weeks maximum. Statutory pay is set at 90% of an individual's 6-week average earnings. The reimbursement of employers depends on their national insurance contribution and business size.

There is a series of interesting details that still baffle employers when it comes to good practices in accordance with the law. One of these is the fact that if a woman is on maternity leave, she should be treated as if she were working when it comes to seniority, pay rises, eligibility for benefits, etc. Another one is the fact that women on maternity leave continue gathering holiday entitlement, and this often creates trouble. Nevertheless, many employers avoid this pitfall by allowing employees to take all their holiday before going on maternity leave.

## The Sex Discrimination (Gender reassignment) Regulations 1999

The Regulations included transgender people in the Act that protected against discrimination.



## Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000

The regulations obligate employers to treat part-time workers as they would treat people on full-time contracts for the same job.

## Fixed Term Workers (Prevention of Less Favourable Treatment) Regulations 2002

The Regulations require employers to give people on fixed-term contracts comparable treatment to people on permanent contracts who do the same job.

## Paternity and Adoption Leave Regulations 2002

The regulations grant fathers the right to a leave of two weeks, paid at £128.73 in 2011, in order for them to look after their children.

## The Employment Equality (Sexual Orientation) Regulations 2003

The regulations outlaw discrimination based on religion, age, sexual orientation, or perceived sexual orientation. Benefits that are available to married couples do not have to be extended to same sex couples, since the difference lies on the marital status and not the sexual preference. Still, the same benefits should be provided to unmarried different-sex couples and unmarried same-sex couples.

Also, the only reason to treat an individual less favourably than others, based on sexual orientation, would be a legitimate business reason and job requirement. For example, it would not be appropriate to recruit a homosexual as a counselor to different-sex married couples.

The Act included new regulations concerning leave and pay for maternity, paternity and adoption purposes. It introduced changes to the domestic Tribunal system and defined flexible working and fixed-term work.

## Employment Equality (Religion or Belief) Regulations 2003

These regulations were administered against direct and indirect discrimination of employees on the grounds of their religion or beliefs. They integrated measures similar to the ones stated in their counterpart European Union Directive (Directive 2000/78/EC) in order to comply with them.

## Pensions Act 2004

The Act introduced the Pensions Regulator, which obliged companies to contribute to the pension schemes undertaken by employees. It also introduced the Pension Protection Fund that protected the pensions in case a company went bankrupt.

## Employment Equality (Age) Regulations 2006

It outlaws discrimination against employees based on their age.

## Pensions Act 2007

The Act reduced the qualifying years for a State Pension to 30 years for both genders. The Act adjusts the cost of living increases to earnings, not prices. It increases the pension age for women to 65 by 2020 and the pension age for both men and women to 68 between 2024 and 2046. It establishes insurance credits for parents and carers to help them build up entitlement to the additional State Pension.

## Working Time (Amendment) Regulations 2007

These regulations increase the statutory minimum annual leave entitlement to 28 days.

## Pensions Act 2008

The Act brings about a principal change, under which all workers have the right to cease participating in their employers' occupational pension scheme. It also creates a National Employment Savings Trust, in order to include those without an occupational pension.

## Equality Act 2010

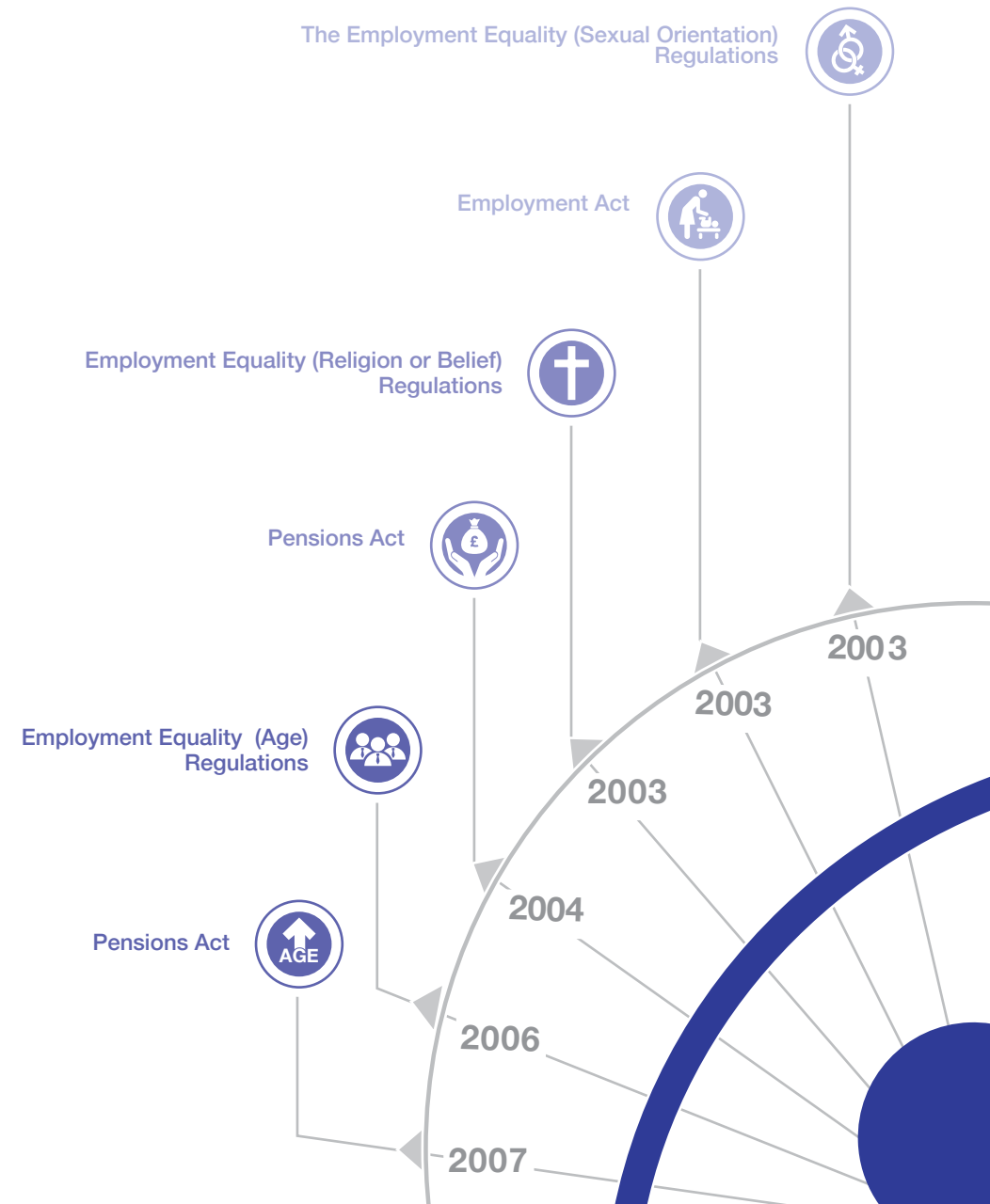
The primary purpose of the Act was to implement the bulk of regulations that are the bedrock of anti-discrimination laws in Great Britain. The Act basically protects individuals against discrimination based on religion or beliefs, race, disability, sexual orientation and age. It enforces equal treatment to all employees at work.

## Pensions Act 2011

The Act states that the state pension age for men and women will go from 65 to 66 by 2020. The Act amends the framework for the duty of employers to automatically enrol workers into a qualifying pension scheme and contribute towards it. It also improves the laws that re-examine the value of pensions and payments from the Pension Protection Fund.

## Shared Parental Leave Regulations 2014

The regulations help parents choose how to share their time off work after the birth or adoption of their child.



## Modern Slavery Act 2015

The Act is designed to concentrate on trafficking and exploitation in order to tackle slavery. It contains a number of provisions, including:

Establishing new civil orders that restrict those convicted of crimes relating to modern slavery.

Creating a mechanism for seizing the assets of those convicted for trafficking and giving the victims some of that money for compensation.

Developing a new statutory defense for the victims.

Providing lawyers for cases of child trafficking.

► According to a BBC reportage, modern slavery and trafficking is ‘far more prevalent than previously thought.’

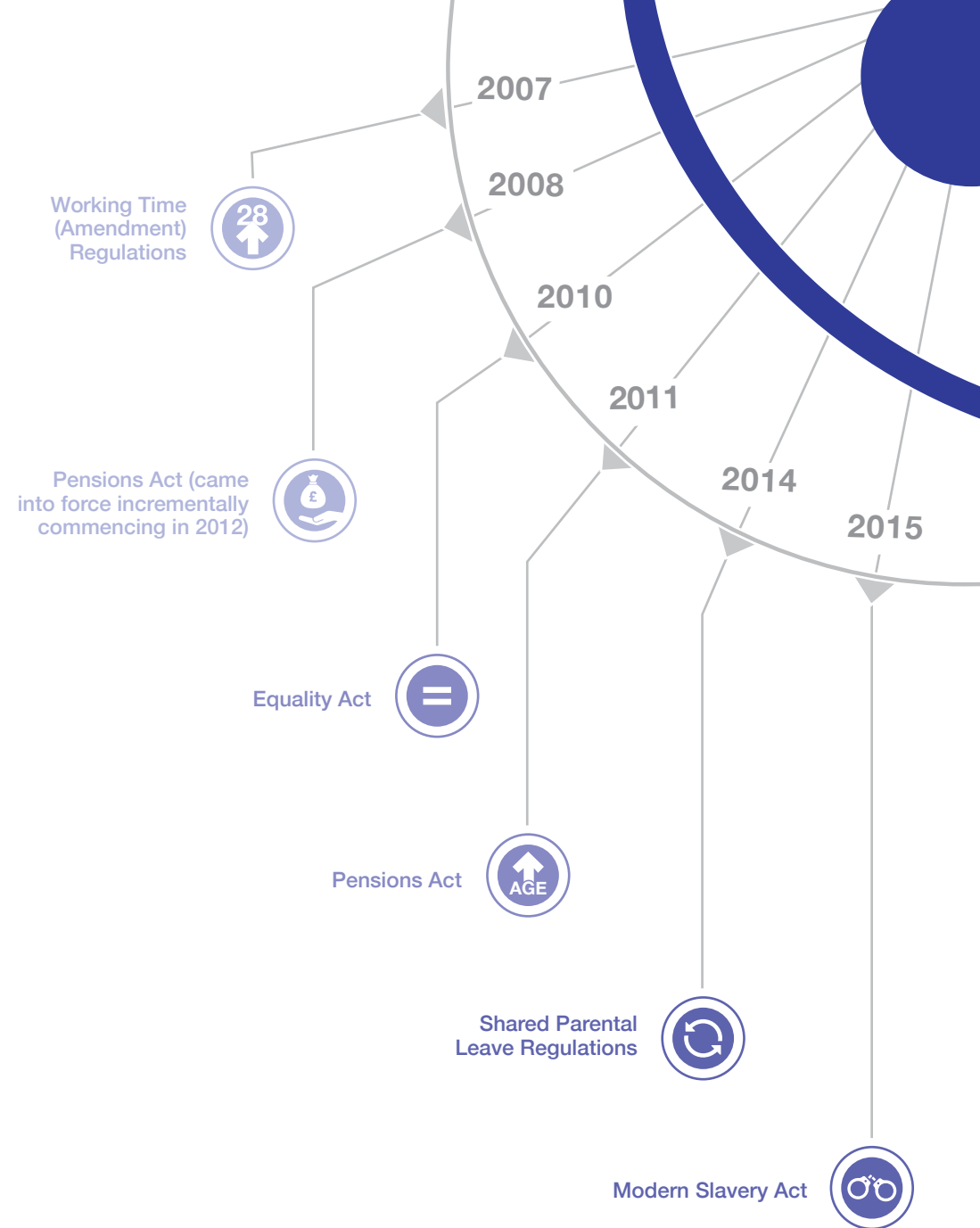
The NCA said there were more than 300 live policing operations currently, with cases affecting ‘every large town and city in the country’. The agency estimated that there were tens of thousands of victims.

It said previous estimates of 10,000 to 13,000 victims in the UK were found to be the ‘tip of the iceberg.’

He warned that trafficking into modern slavery was now so widespread that ordinary people would be unwittingly coming into contact with victims every day.

The NCA said the growth in modern slavery was being driven by international gangs increasingly recognising the amount of money they could make by controlling people within a huge range of economic sectors, rather than just dealing drugs. ◀

Source: BBC



# Conclusion

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The employees of yesterday are not the same as the employees of tomorrow. Flexible, mobile, seeking lifelong learning, customising their work and increasing skills, the employees of today are the children of social, technological and political changes that shook up the previous century and paved the way to the future.

The 20th century saw a shift from employer-based work to employee-based work. Employers gradually took on more responsibilities and duties regarding the safety, well being, benefits and employee obligations towards the Government. Certainly, these changes did not come to the detriment of employer interests. On the contrary, the argument that better-paid, well-fed, less stressed employees are more efficient proved to be absolutely correct. The argument first arose during the 19th century and the changes in employment law that responded to its demands verified its accuracy.

A series of laws were brought about following social changes marking the evolution of the definition of work. As one peruses the laws, one can see the causes that triggered them, the changes they brought and the reflexes of society, employees, employers and the Government in a century of advancements, an age of transition.



# Addendum: Employment Law and Brexit

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Much of the UK statutory employment law originates in the EU legislation. The alignment of European and domestic law means that the legal edifice regulating labour will not collapse upon the country's withdrawal from the European Union.

However, in theory, there is an array of laws that may be removed from the UK legislation, such as minimum holiday allowances and parental rights and leaves. Also, if the UK withdraws from the Union but becomes part of the European Economic Area Agreement (like Norway and Switzerland that are EEA parties without being members of the EU), the country will practically remain subject to EU rules.

The government published a white paper relating to the 'Great Repeal Bill' that will repeal the European Communities Act of 1972 that gives EU law primacy over domestic law. What is important to outline is that the Bill states that EU law that is directly applicable in the UK will be converted into UK law, the latter taking gradual precedence.

Labour rights are specifically referenced as an area where the Great Repeal Act will preserve the existing law. For that reason, there is no indication that drastic changes will occur in the field of employment law.

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