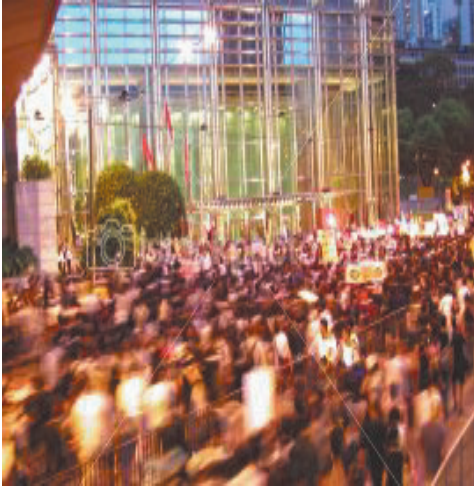


## STRIKE WHILST THE IRON IS HOT!



Many of you will have noticed that there appears to have been a "Summer of discontent" with industrial disputes and strikes taking place within the fire service, postal, airline and rail industries, as well as general industrial unrest within a number of other industries. Now it may be the inclement weather or it may be something else. We have a lot of expertise within Rankin Ogden in resolving disputes and disagreements in the workplace - whether they are unionised or not. If you have any problems, don't hesitate to give us a call and we can work with you to help you resolve any issues you may be facing.

## Illegal Working

New legislation came into force in May this year that strengthens the provision of the Asylum and Immigration Act 1996 on ensuring that employers do not employ people illegally. It was already an offence to do this and companies could be liable to a fine of up to £5,000 per person employed. However, now the list of documentation that has to be checked has been extended and, under the new law, the employer *must satisfy themselves* that the documentation relates to the applicant in question.

It is important that employers involved in recruiting implement a consistent procedure that applies to all applicants to avoid any claims of race discrimination. They should also ensure that they are aware of which documents should be checked and are accepted as a viable defence if an employer is found to be employing somebody illegally. Employers should also ensure that they always see *original* documents and keep photocopies for their records.

## Minimum Wage Increase

The Minimum Wage will be increasing from October 2004. The rate for staff aged 22 and over will be £4:85 per hour, and the rate for staff between 18-22 will be increased to £4:10 per hour.

It should also be noted that, for the first time, employees aged 16 to 17 will have a minimum wage of £3:00 per hour.

Make sure you adjust your rates of pay to stay legal.

## Extension of Disability Discrimination Act

With effect from October 2004 small employers need to be aware that the exclusion from the provisions of the Disability Discrimination Act is being removed for companies employing fewer than 15 employees. Organisations will need to ensure that they deal with any such cases fully within the terms of the legislation.

## Increase in maternity pay

With effect from April 2004 statutory maternity and adoption pay increased to £102:80 per week (or 90% of the employee's earnings).

## Human resources horizon What's coming into view?

### Forthcoming legislation:

**Age Discrimination:** Due to come in during 2006 as a result of an EU Directive, but the Government have not yet decided such issues as mandatory retirement age, ie whether to extend it or abolish it altogether. We'll bring you more news on this as it becomes available.

**48 hour week:** The EU is undertaking a period of consultation on whether to remove the "opt out" rule (where employees can decide to opt out and continue to work in excess of the legal limit of 48 hours per week). The recent news that the 35-hour week has been an "expensive failure" in France may directly impact on this issue. Trade unions are tending to lean towards tighter regulation and employers are arguing for more flexibility. We will keep you informed as the consultation progresses.

**Consultation with employees:** More legislation coming out of the EU! The requirement to consult with employees over business decisions could be one of the most far-reaching pieces of legislation to reach the statute books in a long time. The first tranche is due to be introduced in 2005 and will involve companies employing more than 150 employees. But, wouldn't you know, they're going to get to smaller businesses - those employing more than 100 staff in 2007, and those employing more than 50 staff in 2008. Watch this newsletter for regular updates.



If you have any queries - please contact us:

Jeni Rankin

Office: 01484 683872

Mobile: 0777 585 1773

Or e-mail on:

info@rankinogden.co.uk

1 - 2 Whinney Bank Lane, Wooldale,  
Holmfirth,  
West Yorkshire HD9 1US

This newsletter is designed to be  
informative and should not be relied upon as a  
substitute for individual HR advice

© 2004 Rankin Ogden Personnel Solutions - All rights reserved