

COLWICH PARISH COUNCIL



PD121 EMPLOYMENT LEGISLATION GUIDE

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Employment Legislation Guide – PD121

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Name	Position	Date
Michael Lennon	Clerk	January 2017

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2	09/2018	PD109-02	New Chairman	None
3	10/2021	PD109-03	New Chairman Annual review	None
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5	12/2023	PD109-05	Annual review	None
6	02/2025	PD121-06	Annual review New number	All

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1 LEGISLATION

- 1.1 Various pieces of legislation govern the relationship between employers and employees.
- 1.2 The Council's employment policies are based on the following legislation. This list is not exhaustive and will be reviewed at least annually, or sooner when new legislation is introduced.
- 1.3 The **Employment Relations Act 1999**: gives effect to many of the measures relating to "Fairness at Work", including family-friendly rights, rights for workers to be accompanied at disciplinary and grievance hearings, part-time workers rights, enhanced trade union provisions.
- 1.4 **Employment Rights Act 1996**: this brings together many of the individual employment rights found amongst a number of different statutes. It repeals in their entirety the Employment Protection (Consolidation) Act 1978 and the Wages Act 1986. It requires employers to provide employees with information about their rights and entitlements and to treat them fairly.
- 1.5 The **Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000**: provides a number of new rights to ensure that part-time workers receive no less favourable treatment than full-time workers as regards the terms of his or her contract.
- 1.6 The **Working Time Regulations 1998**: sets out minimum conditions relating to weekly working time, rest entitlements, annual leave and special provisions for working hours and health assessment in relation to night workers.
- 1.7 The **Employment Act 2002**: Sets out changes to maternity, adoption and paternity leave, together with right to ask for flexible working. All in force with effect from 6 April 2003.
- 1.8 **Disability Discrimination Act 2005**: Places a duty on public bodies to promote equality of opportunity for disabled people. The Disability Equality Duty came into force on 5 December 2006.
- 1.9 **Employment Equality (Age) Regulations 2006**: Seeks to make it unlawful to discriminate against workers because of their age, in relations to all employment matters, including recruitment training and redundancies.
- 1.10 **Employment Equality (Religion or Belief) Regulations 2003**: Makes it unlawful to discriminate against workers because of a religion or similar belief in all facets of employment. Religion or belief is defined as being any religion, religious belief or similar philosophical or political belief unless it is similar to religious belief.
- 1.11 **Employment Equality Regulations 2003 (Sexual Orientation)**: Makes it unlawful to discriminate against workers because of the sexual orientation in relation to all employment and vocational training including recruitment, terms and conditions, promotions, transfers, dismissals and training.

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- 1.12 The Equal Pay Act 1970:** Makes it unlawful to discriminate between men and women in terms of their pay and conditions, where they are doing the same or similar work; work related as equivalent or work of equal value.
- 1.13 National Minimum Wage Act 1998** sets out the minimum amount of pay a worker is entitled to per hour. The wage is based on a workers' age. The government regularly reviews this to keep it in line with inflation. Employees aged 23 and over must be paid at least the National Living Wage of £9.50 per hour. The National Minimum Wage for staff aged 21 – 22 is £9.18; for those aged 18 – 20 it is £6.83 per hour and £4.81 for those aged 16 – 17.
- 1.14 Maternity and Parental Leave Regulations 1999** governs the rights of employees for time off work due to maternal and parental obligations. These rights also apply to people adopting a child.
- 1.15 The Equality Act 2010** prevents discrimination in the workplace and recruitment process. It identifies characteristics that cannot be used as a reason for any workplace decisions, unless those decisions are related to providing suitable arrangements to accommodate people in the workplace. The nice characteristics are: Age; Disability; Gender reassignment; Marriage and civil partnership; Pregnancy and maternity; Race; Religion or belief; Sex and Sexual orientation.
- 1.16 The Health and Safety at Work etc Act 1974 (HSWA74)** is the primary piece of legislation covering occupational health and safety measures.
- 1.17 The Management of Health and Safety at Work Regulations 1999** supplement and extend the general duties contained in the HSWA74 and introduced a general duty on employers to carry out risk assessments.
- 1.18 The Workplace (Health, Safety and Welfare) Regulations 1992** over a wide range of basic health, safety and welfare issues and apply to most workplaces.

SIGNED	
COUNCILLOR WENDY PLANT, PARISH COUNCIL CHAIRMAN	