

GAIL ESCOLME

LEGAL SERVICES

Employment Law

HANDY FACT

CARD 2017-2018

National Minimum Wage

Age	Pay from 1 Oct 16	Pay from 1 April 17
Workers 25 and over (National Living Wage)	£7.20 per hour	£7.50 per hour
Workers age 21-24	£6.95 per hour	£7.05 per hour
Development rate for workers aged 18-20	£5.55 per hour	£5.60 per hour
Young workers rate for Workers aged 16-17	£4.00 per hour	£4.05 per hour
Apprentice under 19, or over 19 and in their first year of apprenticeship	£3.40 per hour	£3.50 per hour

Statutory Sick Pay

From 6 April 16	From 6 April 17
£88.45	£89.35

Statutory Notice

Length of Employment	Notice to employee from employer
Under 1 month	No statutory notice requirement
1 month to 2 years	1 week
2 years to 12 years	1 week for each completed year of employment
12 years of more	12 weeks

Employee is obliged to give employer at least 1 weeks' notice after they have worked for 1 month

Family Friendly Leave and Payments

Type of Leave	Service Requirement	Length of Leave
Maternity	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> 52 weeks
Paternity (including adoption)	<ul style="list-style-type: none"> 26 weeks at the end of the relevant week* 	<ul style="list-style-type: none"> 2 weeks to be taken within 56 days of birth/adoption placement
Adoption	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> 52 weeks
Shared Parental Leave (including adoption)	<ul style="list-style-type: none"> 26 weeks service at the end of the relevant week* Both parents satisfy earnings test Mother/adopter entitled to ML, AL, SMP, SAP or MA which she has curtailed. 	<ul style="list-style-type: none"> 52 weeks for one parent or shared if both eligible, less any ML or AL (or pay) already taken

Type of Pay	Basic Eligibility Requirements	Amount from 2 April 2017
Maternity	<ul style="list-style-type: none"> 26 weeks at the end of the relevant week* AWE of at least £113 for 8 weeks ending with the relevant week * 	<ul style="list-style-type: none"> 90% of AWE for 6 weeks The lower of £140.98 or 90% of AWE for the following 33 weeks
Paternity (including adoption)	<ul style="list-style-type: none"> Service as for paternity leave AWE of at least £113 for 8 weeks ending with the relevant week * 	<ul style="list-style-type: none"> The lower of £140.98 or 90% of AWE for up to two weeks
Adoption	<ul style="list-style-type: none"> 26 weeks' service at the end of the relevant week* AWE of at least £113 for 8 weeks ending with the relevant week* 	<ul style="list-style-type: none"> 90% of AWE for 6 weeks The lower of £140.98 or 90% of AWE for the following 33 weeks.
Shared Parental Leave (including adoption)	<ul style="list-style-type: none"> 26 weeks' service at the end of the relevant week AWE of at least £113 for 8 weeks ending with the relevant week* Mother/adopter entitled to SMP, SAP, MA which she has curtailed 	<ul style="list-style-type: none"> 39 weeks for 1 parent or shared if both eligible, less any SMP, SAP or MA already taken.

*Relevant week; for childbirth - 15th week before expected Week of Confinement (EWC)
 Adoption - week adopter is notified of the adoption match [AWE = Average Weekly Earnings](#)

Redundancy Calculation

Age of Employee	Multiplier
Under 22	0.5 x week's pay
From 22nd to 41st birthday	1 x week's pay
41st birthday onwards	1.5 x week's pay

*A "week's pay" is an actual week's gross pay up to a maximum of £489.
The multiplier is subject to a maximum of 30 weeks.

Compensation Limit from 6 April 2017

Complaint	Limit on week's pay	Maximum Award
Basic Award	£489	£14670
Compensatory Award	Unlimited	The lower of £80541 or 52 week's pay
Additional award for failure to reinstate	£489	Minimum £12714 (26 week's pay) Maximum £25428 (52 week's pay)
Guarantee pay (No work provided)	£27 per day	£135 in respect of 5 days in any 3 month period

Working Time (Subject to exceptions)

Type of Leave	Minimum Amount
Paid annual leave	5.6 weeks
Rest break after 6 hours	20 minutes (30 mins after 4.5 hours for 16/17 year olds)
Daily rest period	11 hours (12 hours for 16/17 year olds)
Weekly rest period	24 hours (48 hours for 16/17 year olds)
Max. average working time	48 hours per week (in last 17 weeks)

Qualification period and time limits

Complaint	Qualifying period	Time limit to bring claim*
Written reasons for dismissal	2 years	3 months starting with ETD
Unfair dismissal	2 years	3 months starting with ETD
Automatically unfair dismissal	None	3 months starting with ETD
Redundancy payment	2 years	6 months from relevant date
Failure to consult over proposed redundancies	None	Before the date upon which the last dismissal takes effect or 3 months starting with that date
Discrimination	None	3 months from date of last act complained of
Equal Pay	None	6 months from last day of employment in Employment tribunal 6 years from the alleged breach in Civil court
Guarantee Pay	1 month	3 months starting from date when payment was payable
Written particulars of employment	None **	3 months starting from date employment ceased
Contract claim	None	3 months form EDT in Employment tribunal. 6 years from alleged breach in civil court

EDT - Effective Date of Termination

*These periods may be extended from early conciliation by the Employment Tribunal

**Employers must provide written particulars within 2 months of commencement of employment.

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