

Full Colour Employment Bills Briefing

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What is being proposed?

The government proposed two bills in the King's Speech on 17 July 2024 which has direct relevance to those working on equity, diversity and inclusion.

Employment Rights Bill

Timing

The Employment Rights Bill is expected to be introduced into Parliament in October 2024.

Key aims

The primary aims of the bill are to:

- make flexible working the default from day-one for all workers, with employers required to accommodate this as far as reasonable
- make parental leave, sick pay and protection from unfair dismissal available from day-one on the job for all workers, while ensuring employers can operate probationary periods to assess new hires
- make it unlawful to dismiss a woman who has had a baby for six months after her return to work, except in specific circumstances
- ban "exploitative" zero hours contracts, ensuring workers have a right to a contract that reflects the number of hours they regularly work. All workers would get reasonable notice of any changes in shift with proportionate compensation for any shifts cancelled or curtailed
- end the practice of "fire and re-hire"
- launch a Single Enforcement Body, also known as a Fair Work Agency, to strengthen enforcement of workplace rights.

Implementation issues

Until the bill's formal publication, it remains to be seen how many measures will require secondary legislation or updated codes of practice. "Day one" unfair dismissal rights will require reforms to the ACAS Code of Practice, which in turn will trigger consultation.

A Draft Equality (Race and Disability) Bill

Timing

No timing for this legislation has been announced.

Key aims

This bill aims to tackle inequality for ethnic minority and disabled people by:

- enshrining in law the full right to equal pay for ethnic minority and disabled people
- introducing mandatory ethnicity and disability pay reporting for employers with more than 250 employees to help close ethnicity and disability pay gaps.

What is a draft bill?

Draft bills are issued for consultation before being formally introduced to Parliament. This allows proposed changes to be made before the Bill's formal introduction.

Any measures under this Equality (Race and Disability) Bill are likely to be very complicated. E.g. It is unclear how "ethnicity" and "disability" will be categorised or how the equal pay regime will be extended to race and disability.

The government is expected to hold a lengthy consultation on its content.

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