

## Employment Law

### Employment Law

**Definition:** Laws protecting the rights of employees which must be obeyed by the employers.

### Legal responsibilities a business has to its workers

- **Must ensure work environment is safe / Health and Safety Laws** → make it an offence to allow workers to work in dangerous conditions → otherwise workers may get hurt / they may sue for damages
- **Ensure workers do not work over their working hours under the Working Time Directive** → workers can't be asked to work more than 48 hours a week on average
- **Contract of employment** → conditions of work / job description → time based
- **Unfair dismissal** → rules which must be followed before anyone can be dismissed
- **Equality laws** → on gender / age / race / disability / covering recruitment / pay / promotion / treatment of workers
- **Minimum Wage / Living Wage** → based on age
- **Provide a pension**
- **Ensure workers have the right to time off**

### Contract of Employment

**Definition:** A legal document stating hours, rate of pay, duties and other conditions under which a person is employed.

The contract of employment should include details of things such as:

- rates of pay and how often the employee will be paid
- length of holidays and normal working hours
- normal place of work
- details of the business pension schemes.

### \*\* National Living Wage \*\* Right to a Minimum Wage

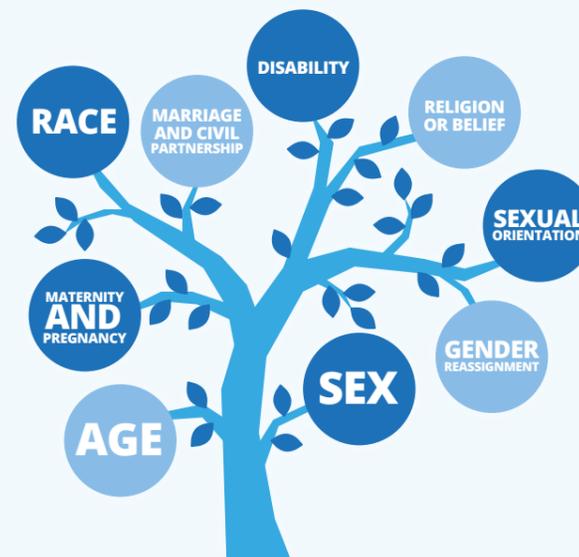
**Definition:** An hourly rate of pay which is set by the government. All employees above a certain age must receive at least this rate of pay.

### \*\* The Equality Act 2010 \*\* No Discrimination in the Workplace

**Definition:** Discrimination is treating one person differently from another without having good reason to do so.

**The Equality Act 2010:** This piece of law says that employees cannot be treated differently in the workplace on the basis of any of the following factors:

- age
- disability
- gender reassignment
- marriage or civil partnership
- religion or lack of religion
- sex / gender
- sexual orientation
- pregnancy or maternity leave
- race / ethnic background / nationality.



### Protection Against Unfair Dismissal

**Definition:** Dismissal takes place when an employer ends an employee's contract of employment with the business.

Dismissal can be fair for a number of reasons:

- because the job no longer exists – this means the employee is made redundant
- because an employee cannot do the job properly – maybe they do not have the right skills
- because of long-term illness
- for “gross misconduct” such as theft or violence at work
- for other “substantial” reasons, such as the employee has been sent to prison



### \*\* Health and Safety at Work Act \*\* Safe Working Conditions

**Definition:** Employers must ensure that they safeguard all their employees' health, safety and welfare at work.

The Act covers many business activities, such as:

- the installation and maintenance of safety equipment and clothing
- providing protection against dangerous substances
- fitting guards on dangerous machinery
- writing and displaying a safety policy.

The Act also requires employees to follow all health and safety procedures and to take care of their own and others' safety.