

JOELSON WILSON

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**UPDATE FROM OUR EMPLOYMENT TEAM**  
**APRIL 2009**

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## **UPDATE FROM OUR EMPLOYMENT TEAM** **APRIL 2009**

### **FROM 5 APRIL 2009**

- Weekly rates of statutory maternity, paternity and adoption leave pay will increase from £117.18 to £123.06.

### **FROM 6 APRIL 2009**

#### **THE NEW ACAS CODE**

- The new Acas Code ("the Code") only applies to disciplinary situations including misconduct and poor performance. The Code will not apply to redundancy dismissals or if an employer does not renew an employee's fixed term contract.
- It will not be mandatory for employers to follow the Code so they will not be liable to proceedings simply for failure to follow it. However, the Code sets out best practice advice that employers should follow because a dismissal will still be substantially unfair where no procedure has been followed.
- If an employee or employer 'unreasonably' fail to abide by the principles of the Code, this can result in an employee's compensation being increased or reduced by a tribunal by up to 25%.
- Employees and, where appropriate, their representatives (such as a recognised trade union) should be involved in the development of disciplinary rules and procedures.
- Please refer to the ACAS website - <http://www.acas.org.uk/CHttpHandler.ashx?id=1041> for details of the Code or contact our employment team for a checklist.

#### **PRACTICAL STEPS FOR EMPLOYERS**

- Ensure HR and Managers are aware of the main principles of the Code
- Review your disciplinary and grievance procedures to ensure they are up to date and reflect the Code.

#### **SICK PAY**

- The rate of statutory sick pay will increase from £75.40 to £79.15.

#### **FLEXIBLE WORKING HOURS**

- The right to request flexible working has been extended to parents of children up to the age of 16.

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**Need to know more?**

**Ask us. For information/advice on employment issues, please contact:**

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**This document is not intended to be a comprehensive review of all developments in the law or practice, or to cover all aspects of those referred to. Readers should take legal advice before applying the information contained in this publication to specific issues or transactions.**

**Joelson Wilson LLP**

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