

LEGISLATIVE CHANGES FROM APRIL 2010

Additional paternity leave

The Additional Paternity Leave and Pay scheme will come into force on 6 April 2010. It will apply to parents of children due on or after 3 April 2011, or to adoptive parents notified of being matched with a child on or after 3 April 2011. Fathers will have the right to 26 weeks' additional paternity leave. However the right will only apply if the mother of the child (or in the case of adoptions the primary adopter) returns to work without having exercised their full entitlement to maternity (or adoption leave). This leave will be available 20 weeks after the child's birth (or placement for adoption) and before the child's first birthday (or first anniversary of placement for adoption). Some of the leave may be paid if taken during the mother's statutory maternity pay period (or for adopted children, during the primary adopter's adoption pay period).

Fit notes

The current sick note will be replaced by a new 'fit note' on 6 April 2010. The fit note will have two different options for a GP to tick: 'unfit for work' or 'you may be fit for work taking account of the following advice.' In the latter case the GP must set out one or more of four specific recommendations for the employer to make to enable a return to work (phased return to work, amended duties, altered hours, and workplace adaptations). GPs may also make their own additional recommendations.

Introduction of the right to request time off for training

A new right for employees to request time off from work in order to undertake study or training will apply to businesses with 250 or more employees from 6 April 2010. The right will be extended to all employers from 6 April 2011. The application procedure will closely follow the existing right to request flexible working. Only employees with at least 26 weeks' continuous service will be entitled to make a request for time off and an employee may only make one application every 12 months. The training must be for the purpose of improving their effectiveness at work and the performance of their employer's business, although it need not lead to a formal qualification. Employers must give serious consideration to all requests and respond in a reasonable time. A request may be refused if there are sound business reasons or if, in the employer's view, the training would not improve the employee's effectiveness at work or the performance of their business. Employers will not be obliged to meet the employee's salary or training costs for any time off.

DISCLAIMER

All information in this update is intended for general guidance only and is not intended to be comprehensive, or to provide legal advice. If you have any questions on any issues either in this update or on other areas of employment law, please contact Parker & Co. We do not accept responsibility for the content of external internet sites linked to in this update.

We currently hold your contact details to send you Parker & Co updates, alerters or other marketing communications. If your details are incorrect, or you do not wish to receive these updates, please let us know by emailing: info@parkerandcosolicitors.com

CONTACT US

Helen Parker	020 7614 4031	helen.parker@parkerandcosolicitors.com
Richard Woolmer	020 7614 4035	richard.woolmer@parkerandcosolicitors.com
Dan Begbie-Clench	020 7614 4034	dan.begbie-clench@parkerandcosolicitors.com
Jackie Feser	020 7614 4038	jackie.feser@parkerandcosolicitors.com
Charlotte Schmidt	020 7614 4033	charlotte.schmidt@parkerandcosolicitors.com
Rebecca Jackson	020 7614 4032	rebecca.jackson@parkerandcosolicitors.com

Parker & Co Solicitors
28 Austin Friars
EC2N 2QQ
Tel: 020 7614 4030
Fax: 020 7614 4040

www.parkerandcosolicitors.com