



Employment Update - December 2019

Manifesto Pledges and the content of the Queen's Speech

It will not have escaped anybody's notice that there was a General Election on December 12th 2019. Whilst it was quite hard to hear beyond the cries of "Get Brexit done", "Stop Brexit", "Remain neutral about Brexit", there were actually some other items in the party manifestos.

It has to be said that the area of Employment was not a big-ticket item in either the Conservative, Labour or Liberal Democrat party manifestos. The result of the election is now known and only the Conservative Party, forming a majority Government, will be required to attempt to deliver on their manifesto commitments. So, what did that manifesto say about employment matters?

The Conservative Manifesto contained less employment-related items than Labour's, but did confirm that the Tories intend to continue with those legislative changes that are already in the pipeline. These include introducing rights for those who have to take neo-natal leave, and extending redundancy protection for women who take maternity leave.

The manifesto did announce a few new proposals, however, in most cases there was very little supporting detail. Amongst the new initiatives trailed in the manifesto were:

- creating a single enforcement body to crack down on employment law breaches;
- increasing employment rights for those who need to take time off work because they have responsibilities for caring for family members (the right to take up to one week of leave for unpaid carers);
- a plan to remove the current constraints on the right to request flexible working thus ensuring all workers can request a more flexible contract; and plans for a consultation exercise on introducing flexible working by default;
- Creating a new £3bn "National Skills Fund" to ensure that employers can find and hire the workers they need. This fund will aim to provide match-funding for both individuals and small and medium enterprises to access high-quality education and training, but an undisclosed

proportion of the fund would be reserved for “further strategic investment in skills”;

- Plans to introduce more flexibility in how the Apprenticeship Levy can be used by employers;
- Raising the national insurance threshold to £9,500 next year, with an “ultimate ambition” of increasing it further, to £12,500;
- Introducing an “Australian-style” points-based immigration system that would attract the “brightest and the best” and additionally offering a small number of the “best” science and technology graduates fast-track entry to the UK.

The Queen’s Speech, on Thursday 19th December, contained a number of the manifesto pledges detailed above, however, it was very clear that Brexit and a new approach to immigration would be the top priority.

In her speech, delivered in the House of Lords, the Queen revealed about 40 new Bills, which will be introduced. These include a new Employment Bill, which will implement many of the manifesto pledges, as well as a few new items, including:

- The right for workers to request a more stable contract;
- Extended redundancy protections to prevent pregnancy and maternity discrimination;
- Extended leave for neonatal care;
- One weeks’ additional leave for unpaid carers;

- The creation of a new single enforcement body to protect workers' rights;
- The right for workers to keep their tips in full;
- Flexible working by default, unless employers have a good reason not to allow this (subject to public consultation).

Released at the same time as the Queen's speech were the Government's Background Briefing Notes, which detailed a new Immigration and Social Security Co-ordination (EU Withdrawal) Bill, which intends to:

- Bring an end to free movement in UK law;
- Deliver a new Australian-style points-based immigration system from 2021;
- Make EU citizens arriving from 2021 subject to the same UK immigration controls as non-EU citizen;
- Protect the long-standing immigration status of Irish citizens when free movement ends.

The Background Briefing Notes also referred to a Pension Schemes Bill, which will:

- introduce "Pensions dashboards" where information about all of the various different pension schemes, that an individual has participated in, will be accessible in one place, to allow people to better plan their saving for later life;
- improve the protection of people's pensions,

- strengthen the regulator's powers to tackle irresponsible management of pension schemes.

With the possibility of up to 40 new legislative Bills being progressed, companies will need to pay attention. The ECIA will endeavour to keep members well informed about new employment related legislation as further details emerge.