

# September 2024 **Employment Newsletter**

#### Trade Unions - Repeals

The Government has indicated that as part of the Employment Rights Act it will repeal the Trades Union Act (2016) which set strike thresholds. Once repealed, it is likely that unions ballots will only need to show a majority of those who vote are in favour of strike action. The Government repealed the Strikes Bill (2023) which provided Minimum Service Levels for essential services will no longer be enforceable and will be part of the Employment Rights Bill, that will be laid before parliament in October 2024.



# **Preventing Sexual Harassment**

The first step for employers if not already prepared, is understanding the risk and educating their workforce. Harassment is unwanted conduct relating to a protected characteristic which has a degrading, hostile, humiliating, or offensive environment for them. Sexual Harassment is unwanted conduct of a sexual nature which has that effect. The effective date for the new law is 26 October 2024, meaning that employers will need to demonstrate they have effective systems and monitoring in place from this date.





## **Workers (Predictable Terms and Con**ditions) Act 2023

The new right was given royal assent prior to the dissolution of parliament for the General Election 2024. The right applies to workers who have irregular patterns of work. The act carries a minimum service requirement of 26 weeks and from that point, qualifying workers will be able to make two requests every 12 months for a predictable working pattern (if they so wish). It is likely to be introduced in September 2024.

### Case Law update

In this case (please read the story here) a group of claimants brought claims for Associative Indirect Discrimination. This followed a scheduling change after a restructure by the respondent. They alleged that the schedule (a Practice, Criteria or Provision, PCP) disadvantaged non-British nationals, who were more likely to commute from abroad. It also disadvantages women who have caring responsibilities (indirect sex discrimination). While some of the claimants had caring responsibility and some lived outside of the UK, others relied on the claim of PCP.





