

## Employment legislation

### **Employment legislation**

Over time a body of law has developed governing employer/employee relations and the rights of employees and employers in the workplace.

#### The Employment Rights Act

Subsequently amended by the Employment Relations Acts of 1999 and 2003, provides a range of contractual rights for employees, including:

- \* entitlement to an itemised pay statement
- \* entitlement to the National Minimum Wage
- \* that the terms and conditions of work must be set out in writing
- \* protection against unfair dismissal at work.

#### The Sex Discrimination Act, 1975

Protects employees against discrimination on the grounds of gender, for example:

- \* in job advertisements
- \* in selection of employees for jobs
- \* in promoting employees
- \* offering training and career development opportunities.

There are some situations in which the Act does not apply related to Genuine Occupational Qualifications (GOQs). For example, it is regarded to be legitimate to advertise for a 'male lavatory attendant', or for a female actor to play a female part in a film.

#### The Equal Pay Act of 1970

Sets out that women and men should receive the same pay for doing the same type of work or ranked as being of the same value.

#### The Race Relations Act, 1976

Makes discrimination on grounds of race illegal in the same way as the Sex Discrimination Act. Again, there is scope for GOQs - for example, advertising for an 'Italian waiter' to work in an Italian restaurant.

#### The Disability Discrimination Act, 1995

Applies to organisations who employ over 20 people. They are required to accommodate the needs of the disabled and establish a right of access for the disabled in transport, higher education and other areas.

The Act defines discrimination in relation to disability as when a disabled person is treated less favourably by the discriminator than he or she treat or would treat others (and he or she cannot show that the treatment is justified).

#### The National Minimum Wage Act, 1998

Resulted from a directive from the European Union. Originally Britain opted out of certain aspects of EU employee law - but with the present Labour Party coming into power this changed. The Minimum Wage is increased each year in line with the rise in the cost of living. The website [www.dti.gov.uk/lowpay](http://www.dti.gov.uk/lowpay) will give you the latest figures.

#### The Working Time Directive, 1999

Guaranteed all employees a maximum 48 hours working week, and a four week holiday. Employees can choose to opt out of the Working Time requirement and agree to work longer hours if they wish.

### The Employment Relations Act, 1999

Sets out that employers have to recognise trade unions where at least 40% of those eligible to do so take part in a ballot, and a majority of those voting are in favour of union recognition. In organisations where already more than 50% of the workforce were union members there was automatic recognition.