

## General Election 2010



### Employment Law Implications

This briefing note provides an overview of the key policy statements and pledges relating to employment law being made by the three main political parties before the General Election on 6 May 2010. The information has been collated from all three parties' manifestos, statements in other policy documents and statements made in Parliament before its dissolution and while on the 'campaign trail'.

The parties are listed in alphabetical order

#### Conservative Party



- Introduce a new system of flexible parental leave so parents can share maternity leave between them or both take time off simultaneously [potentially 52 weeks leave, which can be shared between the parents or could be taken by both parents at the same time, but only mothers could take the first 14 weeks after the birth].
- Extend the right to request flexible working to every parent with a child under the age of eighteen.
- Reviewing the criminal records and "vetting and barring" regime [involving work with children and vulnerable adults] and scaling it back.
- Empowering the Bank of England to crack down on "risky bonus arrangements".
- Revoking the Agency Workers Regulations [before dissolution of Parliament, David Cameron put forward an Early Day Motion proposing that the Regulations be revoked].
- Forcing equal pay audits on any employer found to be discriminating on the basis of gender and taking measures to tackle the gender pay gap, including stronger legislation to prevent employers discriminating.
- Equality Act 2010: not bringing into force the public sector socio-economic duty, the "mistaken" provisions designed to tackle equal pay, and new rules on positive action.
- Looking at how to abolish the national default retirement age of 65.
- Setting an annual limit on the number on non-EU economic migrants coming to the UK to live and work.
- Consulting on proposed changes to the employment tribunal system to ensure the system offers "fast, cheap and accessible justice" that it is fair to both sides.
- Replacing the Human Rights Act 1998 with a UK Bill of Rights

## Labour Party



- Increasing paid paternity leave to four weeks (described as "a Fathers' Month"), rather than the current two.
- Giving the Low Pay Commission the goal of increasing the national minimum wage at least in line with average earnings every year until 2015.
- Requiring banks to put their remuneration policies to shareholders for explicit approval.
- Encouraging employers to make greater use of pay reviews and equality checks to eliminate pay inequality.
- Extending the licensing approach to labour providers in the construction industry if the evidence shows that is the best way to enforce employment rights.
- Introducing a right to request flexible working for older workers. They would consult on the age at which this right should apply.
- Abolishing the default retirement at 65 and carrying out a review to establish the right way in which to support more people working for longer if they choose to do so.
- On immigration, gradually tightening the criteria to make it harder to come to work in the UK (with the aim of no unskilled migration from outside the EU) and stepping up action against illegal working.
- Extending the right of employees to request flexible working so that there is no qualifying period.

## Liberal Democrats



- Introducing "name-blind" application forms, initially for employers of over 100 employees.
- Ensuring the same minimum wage rate is paid to everyone in work, regardless of age.
- Extending the right to request flexible working to all employees.
- Introducing fair pay audits for every employer with over 100 employees.
- Giving fathers the right to time off for ante-natal appointments.
- Allowing parents to share the allocation of maternity and paternity leave between them in whatever way suits them best and seeking to extend the period of shared parental leave for up to 18 months.
- Ensuring "that the bonus system can never again encourage banks to behave in a way that puts the financial system at risk or offers rewards for failure".
- Reforming the process of criminal record checking so that volunteers need have only one portable record, rather than multiple checks for each activity.
- Requiring public companies to declare any remuneration of £200,000 or more.
- Abolishing compulsory retirement ages, allowing those who wish to continue in work to do so.
- Ending "unfair discrimination on grounds of faith" when faith-based schools recruit staff, except for those principally responsible for optional religious instruction.