

Editor's View

If this finds you in December 2006, we send our best wishes for the season; should you be reading this in the New Year, all good wishes for 2007.



2007 will bring with it quite a lot of new legislation, much of it employment or employment related (see STOP PRESS on this page). It is quite difficult to squeeze all of the important news for an SME into one newsletter and so we plan to bring you a new publication during 2007, "TeamHR-Law" [or similar name, polite suggestions on a postcard please....] during 2007. This will be published at least twice per year [with the occasional extra edition for anything really major]. Our ambition for this publication is to provide an at a glance, simple guide to new and existing employment (and employment related) law. TeamWork will continue to bring you employment news and gossip from within the SME sector.

We hope you like the "centre-spread", an A3 at a glance guide to statutory rates and terms & conditions - if you know another SME that would benefit from a copy please let us have their contact details and we will post a copy to them.

Debbie Reynolds

WE WANT YOUR FEEDBACK

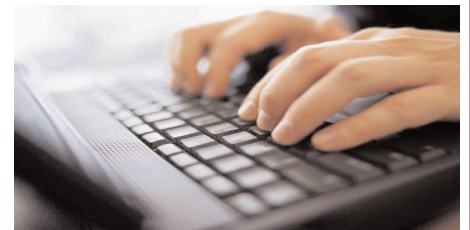
Has this issue of TeamWORK addressed issues relevant to your organisation?

What topics would you like future editions to cover?

TeamHR value your comments and would like to hear your views on our newsletter. Please email any comments you have to:
info@teamhr.co.uk

Computer User's BEWARE!

Talking with SME owners, it is clear that many of you are unaware of your legal obligations when it comes to computers and computer screen users (known technically as the Display Screen Equipment Regulations). Hopefully this article will alert you to your responsibilities and illustrate the risks associated with non-compliance!



The Employer's Obligations

You need to ensure that a proper VDU Risk Assessment is carried out, by a suitably qualified or trained assessor, on all workstations to identify and reduce risks and ensure that all VDU users are operating in a safe manner.

Problems can include poor posture, visual fatigue, upper limb conditions and problems. Assessment not only looks at the workstation set up but also working patterns - users can help themselves with regular breaks from computer work; comfort, support and variety are the keys to health and safety when using DSE. Home-workers must also be covered through education and training, and, if practical, a workstation assessment.

It's not a one-off process, assessments should be repeated when they are no longer valid or when circumstances change significantly. For example, when a new person joins the team, or when a member of staff lets you know that they are expecting a child, or the introduction of new equipment, or an office move/change in office layout or lighting, or a change to the type of work someone is doing.

The risk of non-compliance

Like many things, it's a very big problem as soon as something goes wrong! Repetitive Strain Injury (RSI) or Work Related Upper Limb Disorder (WRULDs) is rapidly becoming a twenty-first century 'Achilles Heel'. There are a myriad of organisations waiting to help employees on a 'no win no fee' basis.

Although many claims for compensation are settled out of court [for around £10,000 to £20,000] there is still a huge loss to organisations in terms of preparation time, solicitor's fees and negative publicity.

We offer DSE assessment. Why not take advantage of our New Year special offer? You can book an assessor for half a day, or more, with an on-site fee of £50.00 plus VAT per hour. Minimum booking 2 hours MK and NN postcodes; minimum booking half a day within 50 miles of NN1; other areas minimum booking 1 day. As a guide it is possible to conduct up to 20-25 assessments per day within an open plan office area. Contact Linda Heward for more information (linda.heward@teamhr.co.uk; 0845 638 3141).

To read the full article visit www.teamhr.co.uk

...STOP PRESS...STOP PRESS...STOP PRESS...

- Are you implementing a NEW AGE RETIREMENT PROCEDURE? New laws applied with effect from 1 October 2006. See page 4.
- Are you ready for: SMOKE FREE WORKPLACES Summer 2007? Go to www.direct.gov.uk/N11/Newsroom/NewsroomArticles/fs/en?CONTENT_ID=10027079&chk=5r8ic9 for more information.
- Are you aware of the proposals for a NATIONAL PENSION SAVINGS SCHEME and the possible implications for your business (3% employer's contribution)? Go to www.dwp.gov.uk/pensionsreform for more information.

NEWS...NEWS...NEWS...NEWS

AGE LEGISLATION IMPLICATIONS

On October 1 2006 new laws came into force to protect workers from age discrimination. The Employment Equality (Age) Regulations have made it illegal since 1 October 2006 for employers to discriminate against employees, trainees or job seekers because of their age and ensure that all workers, regardless of age, have the same rights in terms of training and promotion.

What the regulations cover

The regulations cover direct discrimination, indirect discrimination, harassment and victimisation; and include all workers and those taking part in or applying for employment-related training including further and higher education courses.

- A national retirement age of 65 has been introduced.
- All employees now have the right to request to work beyond the age of 65.
- Employers must provide at least 6 months, and not more than 12 months, notice of the proposed retirement date for an individual (the date of their 65th birthday).
- There is no longer an upper age limit for unfair dismissal and redundancy.
- The regulations do allow pay and non pay benefits to continue to be related to length of service of 5 years or less or where it can be demonstrated that such a benefit recognises and rewards loyalty and experience, and that it motivates staff.

- Age limits have been removed for statutory sick pay, statutory maternity pay, statutory adoption pay and statutory paternity pay.
- Lower and upper age limits in the statutory redundancy scheme have been removed although the different multipliers used for service before age 41 and aged 41 and above remain.
- The regulations do provide exemptions for many age-based rules in occupational pension schemes. The regulations will not affect the age at which people can claim their state pension.

What should an employer do?

Employers must revise their recruitment and retention policies as they can no longer, as a general rule, use age as a factor in recruitment, promotion, access to training or dismissal decisions. There are some exceptions, for example employers can refuse to hire someone aged over 65 without having to justify this. They can also refuse to consider an application from anyone who applies for a job within six months of their 65th birthday.

The more subtle aspects of the legislation may prove to be more critical to the day-to-day operations of all businesses, and that is behaviours and actions that may constitute direct or indirect age discrimination (language, jokes, banter, age-bias phrases, cards, cartoons etc) and all employers would do well to reflect on their workplace culture as well as their procedures and policies.

KFC FALLS FOUL OF THE LAW



An overly slippery floor surface at a Kentucky Fried Chicken in Hereford, has landed the company with a conviction, having pleaded guilty to two charges under the Workplace (Health, Safety and Welfare) Regulations 1992. KFC was deemed to have failed to keep the floor of the kitchen free from substances

likely to cause a person to slip. The company was also found to be infringing food hygiene regulations; Hereford Magistrates fined it £3,600 for each offence, with costs of £2,710.

Visits by Council officials in January 2006 found a number of areas in the kitchen with liquid, grease and oil spillages on the floor which made the quarry tiled surface very slippery and potentially dangerous.

The company says it has now introduced new cleaning processes and practices and improved the training staff received.

Key messages coming from this case that you should consider include:

- Review your housekeeping procedures as this is a simple and effective way of preventing such accidents;
- Check you have a 'clean as you go' policy, or if you don't, introduce one and train your staff so they follow it;
- Check your arrangements for supervision, and for monitoring of standards to ensure that areas are kept clean, dry and clear of obstacles that could cause a slip or trip, and that the 'clean as you go' policy is being implemented in practice;
- Regularly review the training of staff, and check that staff are implementing what they have learnt.

These simple measures will help you to avoid being in a similar situation, and will reduce the risk of you being vulnerable to hefty fines or a compensation claim from injured staff.

TeamHR: Encouraging TeamWORK