



Special points of interest:

- World Cup Employee Absence
- Paternity/Adoption Law Update
- Health & Safety Tips
- The new 'Fit Note'

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A Hung parliament and economic uncertainty stall many Employers' expansion plans



A new poll has revealed that Employers are lacking in confidence following the general election and are refusing to move forward with expansion plans.

Of 3,200 firms quizzed in a snap

poll by the Federation of Small Businesses, more than half (54%) said they would not take on new staff or introduce new products and services, and 52% admitted they lacked confidence in the economy.

Almost half of those polled (49%) are demanding another election in six months, while seven in 10 firms want the incoming government to reduce the Budget deficit, and 52% expect this to be achieved through cuts in public spending. Another 44% want to see the banking system reformed, and 38% want the government to steady the financial markets.

A Quarter of sites failed March safety checks

The Health and Safety Executive visited 2,414 contractors at 2,014 construction sites across the UK during March. The unannounced visits focused on refurbishment and roofing work after a series of deaths owing to falls from height.

A total 691 enforcement notices were issued at 470 sites, 359 of which were orders to stop work immediately, owing to unsafe work at height or sites lacking "good order".

Read our top H&S tips on page 2...

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World Cup Employee absence - how will you manage ?

It seems that many Employers are ill-prepared for the looming World Cup, with many admitting they have no plans in place to manage staff absence.

Nine in 10 firms have not developed a policy to manage employees who fail to show up for work as football fever hits the nation, according to a poll of 1,000 employers.

A survey by the Chartered Institute of Personnel and Development found that just 5% of organisations have drawn up a policy, while a further 5% are in the process of developing one.

Suggestions to help you manage employee absence include:-

Flexible working hours, shift swaps, unpaid leave, and providing a



special screen to show matches on work premises can help minimise disruption. In addition, encouraging employees to use annual leave, particularly to discourage general absenteeism and poor performance caused by excessive over-indulgence are also recommended.

However, clear and consistent guidance should be provided to

employees and where necessary the disciplinary consequences for taking unauthorised time off work without good reason, or for not performing satisfactorily or misbehaving at work should be clearly communicated.

'Nine in 10 firms have not developed a policy to manage employees who fail to show up for work as football fever hits the nation'

Health & Safety Key Points

Remember all workers have a right to work in places where risks to their health and safety are properly controlled. The primary responsibility for this is down to the employer.

Both workers and employers have a legal responsibility to look after health and safety at work together.

Workers have a right to join and be represented by a trade union.

Workers who contribute to health and safety at work are safer and healthier than those who do not.

New Fit Notes Replace Sick Notes—What is the Fit Note?

The Statement of Fitness for Work, or 'fit note', is a new Medical Statement that doctors will now issue, which is relevant to all employers in England, Northern Ireland, Scotland and Wales.

It replaces the old 'sick note' and aims to provide more useful information on how your employee's condition affects what they do and how they might be able to return to work.

A doctor will give a 'may be fit for work' statement if they think that your employee's health condition may allow them to work - as long as you give them the appropriate support.

What's different about the new fit note? - In the past, doctors have either said that 'you should refrain from work' or 'you need not refrain

A doctor will be able to suggest ways of helping an employee get back to work. This might mean discussing:

a phased return to work
altered hours
amended duties
workplace adaptations

The doctor will also provide general details of the functional effect of the individual's condition.

While you won't have to act on the doctor's advice in

a 'may be fit for work' statement, it may help you make simple and practical adjustments to help your employee return to work and reduce unnecessary sickness absence.



'A doctor will give a 'may be fit for work' statement if they think that your employee's health condition may allow them to work'

Employment Law Update 2010—Paternity/Adoption

New laws extending periods of paid paternity leave were introduced in April. Fathers who qualify will be entitled to the leave if their babies' births (or their adoption match) are expected to take place on or after 3 April 2011.

To Qualify - Employees must have 26 weeks' continuous employment at the "qualifying week" (the fifteenth week before the week in which the baby is due or, in an adoption case, the week in which the adoption match takes place).

The employee must be either:

- the father of the child, with re-



sponsibility for the child's upbringing; or

- the partner, of either sex, of the mother, who has the main responsibility, apart from the mother, for the child's upbringing.

In adoption, the employee must be the adopter's partner with the main responsibility, apart from the adopter, for the child's upbringing. Where both members of the

couple adopt, only the one who has not chosen to take adoption leave may take paternity leave.

Certification - Both the employee and the mother, or primary adopter, must produce evidence that they

qualify for the leave, including a "certificate" from mothers, or primary adopters, confirming their own entitlement to statutory pay or leave and their relationship with the employee seeking additional paternity leave.

The mother, or primary adopter, must have returned to work before exhausting their entitlement to maternity or adoption leave. The right to additional paternity leave only arises when the mother or primary adopter returns to work - but the leave need not be taken immediately, there can be a gap.

Equality Act 2010

The Equality Act 2010 replaces nine laws and more than a 100 regulations to make it easier for employers to understand discrimination legislation.

The Act applies to England, Scotland and Wales and its provisions are expected to come into force in stages from October 2010. Some provisions will only be implemented through subsequent regulations.

The Act identifies nine 'protected char-

acteristics'. They are:

- age,
- disability,
- gender reassignment,
- marriage and civil partnership,
- pregnancy and maternity,
- race,
- religion or belief,
- sex,
- sexual orientation.

SME HR will provide information on the changes as they come into force through our future newsletters which

are regularly published on our website

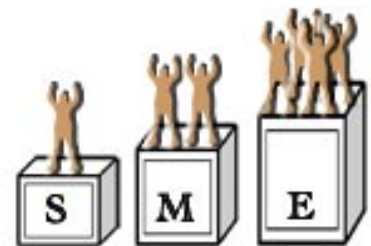


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Phone: 01428 717667

Mobile: 07505 514067

E-mail: christine@smehrconsultants.co.uk

Web: <http://www.smehrconsultants.co.uk>