

## Working time

Subject to some exceptions and special cases

Type of Leave	Minimum Amount
Paid annual leave	5.6 weeks
Rest break after 6 hours	20 minutes (30 minutes after 4.5 hours for 16-17 year olds)
Daily rest period	11 hours (12 hours for 16-17 year olds)
Weekly rest period	24 hours (48 hours for 16-17 year olds)
Maximum average working time	48 hours per week (in last 17 weeks)

## Family friendly payments

	From 4 April 2021	Max Period
Statutory maternity/adoption pay (earnings-related rate)	90% of average weekly earnings	6 weeks
Statutory maternity/adoption pay (prescribed rate)	£151.97 or 90% of average weekly earnings if lower	33 weeks
Maternity allowance	£151.97 or 90% of average weekly earnings if lower	39 weeks
Statutory paternity pay	£151.97 or 90% of average weekly earnings if lower	2 weeks
Statutory shared parental pay	£151.97 or 90% of average weekly earnings if lower	39 weeks*

## Family friendly leave

	Maximum Entitlement
Statutory maternity leave	52 weeks (26 weeks ordinary and 26 weeks additional)
Statutory paternity leave	2 weeks
Statutory shared parental leave	52 weeks (less any time spent on maternity/adoption leave)
Statutory adoption leave	52 weeks (26 weeks ordinary and 26 weeks additional)
Parental leave	18 weeks unpaid per child in respect of children aged under 18
Time off for dependants	"Reasonable" amount (unpaid)

\*less any weeks spent by the child's mother or adopter in receipt of SMP, MA or SAP

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*These facts & figures were correct at publication in April 2021 and may be subject to change. They are for guidance only and do not constitute legal or professional advice. Readers should not act on the basis of the information included and should take appropriate professional advice upon their own particular circumstances.*



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# Employment Law

## Facts & Figures 2021



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## Compensation limits from 6 April 2021

Complaint	Maximum Award
Discrimination	Unlimited
Unfair dismissal: • Basic award • Compensatory award	£16,320 (max) £89,493* (unlimited in some cases)
Additional award for failure to reinstate	26 to 52 weeks' pay (Capped at £14,144 - £28,288)
A week's pay used to calculate basic award and statutory redundancy pay	£544
Statutory redundancy pay	£16,320 (max)
Dismissal for union or employee representative or pension trustee reasons: • Basic award • Compensatory award	£16,320 (minimum £6,634) £89,493
Dismissal for health and safety reasons: • Basic award • Compensatory award	£16,320 (minimum £6,634) No limit
Dismissal for making a protected disclosure: • Compensatory award	No limit
Contract claims	£25,000 in the Employment Tribunal (Unlimited in the High or County Courts)
Failure to conduct collective consultation	90 days' gross pay per employee
Failure to inform or consult over a TUPE transfer	13 weeks' gross pay per employee
Breach of right to be accompanied	2 weeks' pay (capped at £1,088)
Breach of flexible working regulations	8 weeks' pay (capped at £4,352)
Failure to give statement of employment particulars	2 or 4 weeks' pay (capped at £1,088 or £2,176)
Guaranteed pay of £30 per day if no work is provided	Maximum of £150 or 5 days in any 3 month period

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\*Capped at 52 weeks' pay (if less)

## Qualifying periods and time limits

Complaint	Qualifying period	Time limit to bring claim
Discrimination	None	3 months from the date of the act complained of
Equal pay	None	6 months from the last day of employment in the Employment Tribunal (6 years from breach in the High Court or County Court)
Written reasons for Dismissal	2 years	3 months starting from EDT*
Unfair dismissal	2 years	3 months starting from EDT*
Automatically unfair dismissal eg: pregnancy, health & safety and whistle blowing	None	3 months starting from EDT*
Statutory redundancy Payment	2 years	6 months from relevant date
Failure to conduct collective consultation	None	3 months starting with the date the last dismissal takes effect
Failure to pay a protective award	None	3 months starting with the last day in respect of which the complaint is made
Failure to consult under TUPE	None	3 months from the date of the transfer
Written particulars of employment	Day 1	3 months from the date employment ceased
Contract claim	None	3 months from EDT* in the Employment Tribunal (6 years from breach in the High Court or County Court)

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\*EDT means effective date of termination

## National minimum wage & living wage

Category of worker	From 1 Apr 2021
Aged 23+ (NLW)	£8.91 / hour
Aged 21-22	£8.36 / hour
Aged 18-20	£6.56 / hour
Aged 16-17	£4.62 / hour
Apprentice	£4.30 / hour
Accommodation offset	£8.36

## Statutory sick pay

Payment	Rate	Maximum Period
Statutory sick pay	£96.35	28 weeks

## Calculating statutory redundancy pay

Week's pay	Notice period
1.5 week's pay	Each year in employment over age 41
1 week's pay	Each year in employment aged 22-40
0.5 week's pay	Each year in employment age 21 and under
Maximum week's pay	£544
Maximum number of years	Last 20 worked

## Statutory minimum notice to employers

Length of employment	Notice required
Under 1 month	No statutory notice requirement
1 month or more	1 week

## Statutory minimum notice to employees

Length of employment	Notice required
Under 1 month	No statutory notice requirement
1 month to 2 years	1 week
2 to 12 years	1 week for each completed year
12 years or more	12 weeks

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