



# **NEWSLETTER**

**MARCH 2007**

In this month's newsletter we cover:  
Managing Employees with Cancer, Did You Know, Employment Statistics  
and Maternity & Parental Rights

## **MANAGING EMPLOYEES WITH CANCER**

According to People Management 26<sup>th</sup> October 2006, 90,000 people of working age in the UK contract cancer each year and over 500,000 people under the age of 65 have been diagnosed with cancer at some point in their lives. The chances are that as an employer at some point, an employee will report to you that they are affected or know someone who is affected by the disease. With 200 different types of cancer and respective treatments each case must be handled differently.

So as an employer how exactly do you deal with it? If you have not thought about it and do not have a policy to cover it then think and act now before it happens.

Work with the employee - Ask the employee what they want.

- Some employees will want to continue working as long as possible while they receive treatment.
- Some employees will request to take time off while they receive treatment.
- Some may choose to leave work completely.

Whatever the employee requests it is important to work with them.

- Meet regularly with the employee to discuss progress and to simply support them through this difficult stage and allow them to have representation at meetings.
- Discuss any adjustments necessary in the employee's work, e.g. reduction in hours, removal of lifting duties, change in work type, etc. Remember that cancer is now classed as a disability under the DDA.
- Discuss whether and how they wish other employees to be informed of the situation.
- Provide them with financial guidance where possible, payment of wages during periods of time off, SSP, critical illness payments, permanent health insurance, etc.
- Be aware of the side effects that can include intense fatigue, nausea, concentration loss and emotional distress and agree reasonable time off for recovery making sure there is flexibility in the agreement.
- Ask for their permission to seek medical advice about their condition.
- Offer counselling, as appropriate.

- Encourage them to continue working where they are able to do so after the treatment to maintain their self-esteem and confidence.

Remember also the employee who notifies you that a member of their family, their partner or a close friend has cancer. They also need support. Ensure your company policy covers these people too.

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## DID YOU KNOW

Bulgaria and Romania joined the EU on the 1<sup>st</sup> of January this year. However unlike the other countries that recently joined the EU there are restrictions imposed to prevent a potential flood of migrant workers.

If you fail to adhere to the restrictions you could be fined up to £5000 for each individual.

- The individual must be eligible to work within the UK.
- Low skilled workers are restricted to the agricultural and food processing industries.
- Skilled workers must:
  - Have a work permit and
  - Qualify under the Highly skilled migrant programme or
  - Be a student or
  - Be self-employed.

## EMPLOYMENT STATISTICS

- Employment Tribunal Awards:

○ Discrimination cases	£limitless
○ Maximum for unfair dismissal	£60,600
○ Maximum for breach of contract	£25,000
○ Limits for pay awards – per day	£19.60
○ Limits for pay awards – per week	£310
- Minimum hourly wage rates:

○ Aged 22 and over	<b>£5.35</b>
○ Aged 18 to 21 years	<b>£4.45</b>
○ Aged 16 to 18 years	<b>£3.30</b>

- Statutory Maternity Pay until 31<sup>st</sup> March 2007:
  - Paid for 26 weeks as follows:
    - 90% of the employee's average weekly earnings, with no upper limit for the first 6 weeks.
    - £108.85 or 90% of average weekly earnings if the 90% is less than £108.85 for the remaining 20 weeks.
- Statutory Maternity Pay from 1<sup>st</sup> April 2007:
  - Paid for 39 weeks as follows:
    - 90% of the employee's average weekly earnings, with no upper limit for the first 6 weeks.
    - £112.75 or 90% of average weekly earnings if the 90% is less than £112.75 for the remaining 20 weeks.
- Statutory Paternity Pay:
  - Paid for 2 weeks as follows:
    - £108.95 or 90% of the employee's average weekly earnings if the 90% rate is less than £108.95 (subject to qualification).
- Trade Union
  - The minimum award for employees who are excluded or expelled from a trade union is £6,600.
- Statutory Redundancy Pay:

The maximum payment is 30 weeks or £9,300  
 Employee must have worked for 2 continuous years with the same employer and from the age of 18 years.  
 Calculations for pay are dependant upon age.

For further details contact us at: [lyn@lynchr.co.uk](mailto:lyn@lynchr.co.uk) or visit [www.lynchr.co.uk](http://www.lynchr.co.uk)

# Maternity & Parental Rights changes due on the 1<sup>st</sup> April

On April the 1<sup>st</sup> \* & 6<sup>th</sup> \*\* 2007 the rights related to maternity and parental leave will change. Here is the summary of the changes:

## **\* Maternity and Adoption Leave**

- **Maternity** – there is no longer the requirement for 26 weeks continuous service with the company to qualify for additional maternity leave. Ordinary maternity leave and additional maternity leave are therefore available to all female employees regardless of the amount of service they have had with the company.

- **Adoption** –there is no longer the requirement for 26 weeks continuous service with the company to qualify for additional adoption leave. Ordinary adoption leave and additional adoption leave are therefore available to all employees regardless of the amount of service they had had with the company.

**\* Maternity and Adoption Pay**

- **Maternity** – (39 weeks in total) the first 6 weeks pay at 90% of the employee’s normal pay and then 33 weeks at £112.75 or 90% of normal pay, whichever is the lower.
- **Adoption** – 39 weeks pay at £112.75 or 90% of the employee’s normal pay, whichever is the lower.

**\* Return to Work**

- **Maternity** – the employee must give 8 weeks written notice to their employer to return to work early, namely before the date originally notified.
- **Adoption** – the employee must give 8 weeks written notice to their employer to return to work early, namely before the date originally notified.

**\* 10 keeping in Touch Days**

- Keeping in touch days are introduced for employees on maternity and adoption leave. These days provide the right for the employee to work for up to 10 days during their leave period. Any work on any day will constitute a day’s work. There is no right to pay the employee’s for these days however there are a few unanswered questions related to this matter. They include the following:
  - By not paying the employee the company
    - Will be in breach of contract unless the employee agrees otherwise;
    - Will be in breach of the Equal Pay Act 1970;
    - May be in breach of the national minimum wage
  - Should the employee receive SMP or full pay?

Employer’s need to think seriously about this matter and have a clear policy that will avoid claims.

**\*\* Flexible Working Extended to Carers**

The right to request flexibly will extend to carers of adults. The employee must be responsible (caring or expected to be caring) for an adult who is dependant upon them who is:

- Married to them, their partner or civil partner;

- A near relative of theirs, i.e. partner, parent-in-law, child over 18 years, adopted child over 18 years, sibling, brother or sister-in-law, uncle, aunt, or grandparent;
- Not the spouse, partner or a relative but lives at the same address as them.

For further information related to managing Maternity and Parental rights contact us at [info@lynchr.co.uk](mailto:info@lynchr.co.uk) or on 07818 405828

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## LYNC HR FACILITATION

## WORKSHOPS

An example of some of the workshop sessions bespoke to your organisation

- **COMMUNICATION SKILLS – How to become highly effective**
  - **NETWORKING – The How's & Whys**
  - **ONLY 24 HOURS IN A DAY – Time Management**
  - **ADMINISTRATION/SECRETARIAL EFFICIENCY**
  - **CUSTOMER EXCELLENCE**
- **WHAT IS THIS THING CALLED HUMAN RESOURCE**
  - **WHAT TO DO IF THINGS GO WRONG**  
*Disciplinary & Grievance*

**Contact [Lyn@lynchr.co.uk](mailto:Lyn@lynchr.co.uk) to arrange an in-house workshop**

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