

## Compensation Limits

The limits to certain Employment Tribunal awards increased on 1 February 2010 (although some changes were made on 1 October 2009).

EMPLOYMENT RIGHT	MAXIMUM AWARD	
	OLD AMOUNT	NEW AMOUNT
<b>Unfair Dismissal</b>		
Basic Award	£10,500	£11,400 (a) (b)
Compensatory Award	£66,200	£65,300 (a) (c)
Additional Award (unreasonable failure to reinstate)	£9,100 - £18,200	£9,880 - £19,760 (b) i.e. 26-52 weeks' capped pay
<b>Redundancy Pay</b>		
Limit on week's pay for calculation purposes (where applicable)	£10,500	£11,400 (a) (d)
	£350 (gross)	£380 (gross) (b)
<b>Discrimination</b>		
Race, sex, disability, sexual orientation, religion or belief or age	No Limit	No Limit
<b>Breach of Contract claim/wrongful dismissal</b> (Employment Tribunal claims)	£25,000	£25,000
<b>Dismissal for union/employee representative or pension trustee reasons</b>		
Basic Award	£10,500 (min £4,700)	£11,400 (min £4,700)
<b>Health and safety reasons</b>		
Basic Award	£10,500 (min £4,700)	£11,400 (min £4,700)
Compensatory Award	No Limit	No Limit
<b>Dismissal for 'whistle blowing' (protected disclosure)</b>		
Compensatory Award	No Limit	No Limit

- (a) The Secretary of State will change these figures annually in line with the retail prices index every year (some changes were made early to apply on or after 1 October 2009).
- (b) Applies to dismissals where the effective date of termination falls on or after 1 October 2009.
- (c) Applies to dismissals where the effective date of termination falls on or after 1 February 2010.
- (d) Applies to dismissals where the "appropriate date" falls on or after 1 October 2009.

## Other facts

NATIONAL MINIMUM WAGE <i>Applicable rates from 1 October 2009 to September 2010</i>		
AGE	AMOUNT	
16 - 17 *	£3.57 per hour	
18 - 21	£4.83 per hour	
22+	£5.80 per hour	
* Young Workers Rate		
GUARANTEE PAY	OLD AMOUNT	NEW AMOUNT †
Limit on amount of guarantee payment payable to an employee in respect of any day	£107.50 (5 days in any period of 3 months) (£21.50 a day)	£106.00 (5 days in any period of 3 months) (£21.20 a day)
† Applies where date of lay off falls on or after 1 February 2010.		
FAMILY FRIENDLY PAY RATES	CURRENT AMOUNT*	PROPOSED AMOUNT**
Statutory <b>Maternity</b> Pay - standard rate	£123.06 per week	£124.88 per week
Statutory <b>Paternity</b> Pay - standard rate	£123.06 per week	£124.88 per week
Statutory <b>Adoption</b> Pay - standard rate	£123.06 per week	£124.88 per week
SICK PAY RATES	CURRENT AMOUNT*	PROPOSED AMOUNT**
Statutory Sick Pay - standard rate	£79.15 per week	£79.15 per week
* Up to 5 April 2010		
** It is expected that the proposed amounts will come into effect on 6 April 2010		

### Howes Percival LLP Employment Team

Our employment law specialists provide comprehensive, practical and commercial legal advice in all areas of employment law and HR related work and representation at Employment Tribunals. For more information or advice, please contact Lyndsay Jordan on 0116 247 3570.

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## Employment Law Facts and Figures

# 2010

## Accrual of employment rights

QUALIFYING PERIOD	PROTECTION
Day 1	<ul style="list-style-type: none"> <li>Protection against UNFAIR DISMISSAL for various reasons including: <ul style="list-style-type: none"> <li>Maternity, parental and paternity leave;</li> <li>Undertaking activities aimed at improving health and safety;</li> <li>Refusal to work on Sundays;</li> <li>Assertion of rights under Working Time Regulations;</li> <li>Performance of duties as trustee of occupational pension scheme;</li> <li>Performance of functions as employee representative;</li> <li>Making a protected disclosure;</li> <li>Assertion of statutory rights, including right to National Minimum Wage and right to certain tax credits;</li> <li>Claim for union recognition</li> <li>Trade union reason;</li> <li>Part-time worker status.</li> </ul> </li> <li>52 weeks maternity leave for female employees regardless of their length of service</li> <li>Protection against DISCRIMINATION on grounds of: <ul style="list-style-type: none"> <li>Sex</li> <li>Race</li> <li>Religion or belief</li> <li>Sexual orientation</li> <li>Disability</li> <li>Age</li> </ul> </li> <li>A written statement of particulars of employment (to be received no later than 2 months after starting employment)</li> </ul>
1 month	<ul style="list-style-type: none"> <li>At least one week' notice of termination of contract</li> <li>Guarantee payment in case of lack of work</li> <li>Payment of salary during suspension on medical grounds for health and safety reasons</li> <li>Right not to be dismissed on medical grounds for health and safety reasons</li> </ul>
3 months	<ul style="list-style-type: none"> <li>Option to join stakeholder pension scheme</li> </ul>
26 weeks	<ul style="list-style-type: none"> <li>Two weeks' paid paternity leave</li> <li>39 weeks' statutory maternity pay, plus 13 weeks' unpaid maternity leave</li> <li>39 weeks' statutory adoption pay, plus 13 weeks' unpaid adoption leave</li> <li>Right to request time off to train (from 6 April 2010 for businesses with 250 or more employees)</li> <li>Right to request flexible working (if employee has parental responsibility for a child aged 16 or under)</li> </ul>
1 year	<ul style="list-style-type: none"> <li>Protection from unfair dismissal for reasons other than those specifically listed in the relevant pieces of legislation</li> </ul>

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