

# COMPENSATION LIMITS

The limits applicable to certain Employment Tribunal awards are to be increased from 6 April 2018

EMPLOYMENT RIGHT	MAXIMUM AWARD	
	OLD AMOUNT	NEW AMOUNT
<b>Unfair Dismissal</b>		
Basic Award	£14,670 (a) (b)	£15,240 (a) (b)
Compensatory Award	£80,541 (a) (b)	£83,682 (a) (b)
Additional Award (unreasonable failure to reinstate)	£12,714 - £25,428 i.e. 26-52 weeks' capped pay	£13,208 - £26,416 i.e. 26-52 weeks' capped pay
<b>Redundancy Pay</b>		
Limit on week's pay for calculation purposes (where applicable)	£14,670 (a) (c)	£15,240 (a) (c)
	£489 (gross) (b)	£508 (gross) (b)
<b>Discrimination</b>		
Race, sex, disability, sexual orientation, religion or belief, age, gender reassignment, pregnancy/maternity, marriage/civil partnership	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	£14,670 (min £5,970)	£15,240 (min £6,203)
Health and safety reasons		
Basic Award	£14,670 (min £5,970)	£15,240 (min £6,203)
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.
- (b) Applies to dismissals where the effective date of termination falls on or after 6 April 2018.
- (c) Applies to dismissals where the "appropriate date" falls on or after 6 April 2018.

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# EMPLOYMENT LAW FACTS & FIGURES 2018

## STATUTORY PAYMENTS

NATIONAL MINIMUM WAGE		
AGE	CURRENT AMOUNT	FROM 1 APRIL 2018
16 - 17	£4.05 per hour	£4.20 per hour
18 - 20 *	£5.60 per hour	£5.90 per hour
Apprenticeship Rate **	£3.50 per hour	£3.70 per hour
21 - 24	£7.05 per hour	£7.38 per hour
NATIONAL LIVING WAGE		
AGE	CURRENT AMOUNT	FROM 1 APRIL 2018
25+	£7.50 per hour	£7.83 per hour
* Development Rate		
** Applies to apprentices under 19 years old or over 19 but in first year of apprenticeship		
GUARANTEE PAY		
	CURRENT AMOUNT	FROM 6 APRIL 2018
Limit on amount of guarantee payment payable to an employee in respect of any day	£135.00 (5 days in any period of 3 months) (£27.00 a day)	£140.00 (5 days in any period of 3 months) (£28.00 a day)
FAMILY FRIENDLY PAY RATES		
	CURRENT AMOUNT	FROM 1 APRIL 2018
Statutory Maternity Pay - standard rate	£140.98 per week	£145.18 per week
Statutory Paternity Pay - standard rate	£140.98 per week	£145.18 per week
Statutory Adoption Pay - standard rate	£140.98 per week	£145.18 per week
Shared Parental Pay	£140.98 per week	£145.18 per week
SICK PAY RATES		
	CURRENT AMOUNT	FROM 6 APRIL 2018
Statutory Sick Pay - standard rate	£89.35 per week	£92.05 per week

# ACCRUAL OF EMPLOYMENT RIGHTS

**QUALIFYING PERIOD** Day 1

- Protection against UNFAIR DISMISSAL for various reasons including:
  - Pregnancy/childbirth and maternity, adoption, paternity, parental and shared parental leave;
  - Undertaking activities aimed at improving health and safety;
  - Refusal to work on Sundays;
  - Assertion of rights under Working Time Regulations;
  - Performance of duties as trustee of occupational pension scheme;
  - Performance of functions as employee representative;
  - Making a protected disclosure;
  - Assertion of statutory rights, including right to National Minimum Wage and right to certain tax credits;
  - Claim for union recognition;
  - Trade union reason;
  - Part-time worker or fixed term employee status.
- 52 weeks maternity or adoption leave for employees regardless of their length of service
- Protection against DISCRIMINATION on grounds of Sex, Race, Religion or belief, Sexual orientation, Disability, Age, Gender reassignment, Marriage and civil partnership, Pregnancy and maternity
- A written statement of particulars of employment (to be received no later than 2 months after starting employment)

**QUALIFYING PERIOD** 1 month

- At least one week's notice of termination of contract
- Guarantee payment in case of lack of work
- Payment of salary during suspension on medical grounds for health and safety reasons
- Right not to be dismissed on medical grounds for health and safety reasons

**QUALIFYING PERIOD** 26 Weeks

- Two weeks' paid paternity leave within 56 days of birth or adoption ('ordinary paternity leave')
- 6 weeks maternity or adoption pay at 90% of employee's salary and 33 weeks at the standard SMP/SAP rates
- 39 weeks Shared Parental Pay (less any weeks of SMP, MA or SAP)
- Right to request time off to train (where employer has 250 or more employees)
- Right to request flexible working

**QUALIFYING PERIOD** 2 Years

- Right to receive a statutory redundancy payment
- Protection from unfair dismissal for reasons other than those listed above

**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.

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