

Employment

8.1 Employment Law and Equal Opportunities

Employment law and rights change frequently, the best source of up-to-date information is the Department of Trade and Industry (DTI) website www.dti.gov.uk

The website has a section called TIGER (Tailored Interactive Guidance on Employment Rights) which is a user-friendly guide to UK Employment Law, Employment Relations, Flexible Working Rights, Maternity Rights, Paternity Rights, Adoptive Parents Rights and National Minimum Wage.

Also on this site you can find an on-line publication which is a Good Practice guide for Small Firms called "Equal Opportunities is Your Business Too", there are three versions covering England, Scotland and Wales. It contains useful information for Woodland Initiatives as well as small businesses. The publication gives basic guidance on avoiding unlawful discrimination on the grounds of race, sex, disability, sexual orientation, religion or belief when recruiting or managing your staff.

It advocates clear communications with all staff over everyone's role and the opportunities for promotion and training. There should also be clear policies on harassment and/or bullying together with a disciplinary or grievance procedure.

From 1st October 2004 all contracts of employment must include disciplinary and grievance procedures. The new procedure includes three steps that must be taken when dealing with a disciplinary matter or grievance in the workplace, they are:

- the written statement
- the hearing
- the appeal meeting

More detailed information on the procedure and how to handle disputes is available from www.dti.gov.uk/er/resolvingdisputes.htm

There are several organisations that can help with different aspects of employment:

Acas (The Advisory Conciliation and Arbitration Service):

Independent employment relations service, providing information, good practice advice and guidance to employers and employees on a wide range of employment relations issues. They also run Equality Direct, a helpline for questions on managing equality in the workplace.

Acas helpline: 0845 747 4747

Equality Direct: 0845 600 3444

Website: www.acas.org.uk

Commission for Racial Equality:

Provide information, advice and guidance on issues of racial discrimination.

London: 020 7939 0000

Birmingham: 0121 710 3000

Manchester: 0161 835 5500

Leeds: 0113 389 3600

CRE Scotland: 0131 524 2000

CRE Wales: 029 2072 9200

Website: www.cre.gov.uk

Disability Rights Commission:

Provides information, advice and guidance relating to issues of disability discrimination through a national helpline.

National helpline: 0845 752 2633
Text Phone: 0845 762 2644
Email: enquiry@drc-gb.org
Fax: 0845 777 8878
Website: www.drc.org.uk

For advice on making your business accessible:

Website: www.open4all.org

Equal Opportunities Commission:

Provides information on issues of sex discrimination and equal pay.

National helpline: 0845 601 5901
Email: info@eoc.org.uk
EOC Scotland: Scotland@eoc.org.uk
EOC Wales: Wales@eoc.org.uk
Website: www.eoc.org.uk

Business Link:

Provides information on all aspects of setting up a new business including employing people.

National tel: 0845 600 9006
Website: www.businesslink.gov.uk
(search for a local contact in your area)

There are also **Trade Unions** who look after their members' interests, including full or part-time employees. They provide employment rights information and produce useful publications, some are free to download from their websites, others are free or at a reduced rate to members but require a payment from non-members. There is also a section on the DTI website www.dti.gov.uk/er/union.htm about Trade Unions and Collective Rights. Two unions associated with this sector are:

UNISON

Members work in public services (including the voluntary sector), for private contractors providing public services and the essential utilities.

Address: UNISON, 1 Mabledon Place, London WC1H 9AJ
Tel: 0845 355 0845
Website: www.unison.org.uk

Transport and General Workers' Union

The union has a Forestry sector, which comes under the Rural, Agricultural and Allied Workers (RAAW) trade group.

Address: TGWU, Central office, Transport House, 128 Theobalds Road, Holborn, London WC1X 8TN
Tel: 020 7611 2500
Fax: 020 7611 2555
Email: tgwu@tgwu.org.uk
Website: www.tgwu.org.uk

8.2 Contracts of Employment

A contract of employment is an agreement entered into by an employer and an employee under which they have certain mutual obligations. Some terms and conditions of employment are subject to statutory requirements, e.g. rates of pay, working hours and holidays, notice of termination of employment and from 1st October 2004 it includes disciplinary and grievance procedures (*see 8.1*).

All employees taken on for one month or more are entitled by law to be given, within two months of the date the employment starts, a written statement of employment particulars. This will not necessarily cover every aspect of the contract, but will constitute important evidence of the principal terms and conditions. The DTI website has an example form under the Employment Legislation section www.dti.gov.uk/er/individual/example-pl700a.htm. It should be noted that if no contract of employment exists before an employee starts, one will come into existence as soon as they start work. It doesn't need to be in writing (unless it is for an apprenticeship, when different rules apply) but by commencing work he or she accepts the job on the terms offered by the employer (written, oral, implied or a mixture of all three). More information is available on this on the DTI website under Contracts of Employment (PL810) www.dti.gov.uk/er/pay/contracts-pl810a.htm.

It is also important to ensure you have Employers Liability Insurance cover for all your employees, *see section 6. Liability – Insurance*.