

**Employment Law Update – October  
2007**

Visit

[www.dti.gov.uk/employment/holidays/page40455.html](http://www.dti.gov.uk/employment/holidays/page40455.html).

**Sick Pay Entitlement for Agency  
Workers on Short Term Contracts**

The Court of Appeal has decided that Agency Workers on a Fixed Contract of three months or less are not entitled to statutory sick pay. Two fixed term contracts can be counted for the purpose of SSP entitlement if they are separated by a period of less than 8 weeks. (*The Commissioners for Her Majesty's Revenue and Customs v. Thorn Baker Limited* (2007))

**Outsource Contractors**

Employers providing staff to work on a client's site (such as security or catering staff) may not fairly dismiss an employee simply because the client no longer wishes to have the employee on site. Employers must consider relocating the employee to work for another client and must follow the Statutory Disciplinary Procedures, and make sure the dismissal is fair in all the circumstances (*Greenwood v. Whiteghyll Plastics Limited* August 2007).

**Disability**

The Employment Appeals Tribunals have recently held that dyslexia is a disability within the meaning of the Disability Discrimination Act as it has an adverse effect on an employee's day to day activities. Thus the employer has a duty to make adjustments to the employee's working practices to accommodate the dyslexia, such as allowing the employee more time to produce written work (*Patterson v. The Commissioner of Police of the Metropolis* July 2007)

**Minimum Wage Increase**

The National Minimum Wage increased from 1<sup>st</sup> October 2007 from £5.35 to £5.52 per hour. For workers aged between 18 and 21 it will rise from £4.45 to £4.60 and for workers below 18 and who have ceased to be of compulsory school age it will rise from £3.30 to £3.40.

For further advice and information, please contact Louise Attrup on 01727 735663 or via email on [la@turnerdebs.co.uk](mailto:la@turnerdebs.co.uk)

**Holiday Entitlement Update**

For those employers who offer 4 weeks holiday inclusive of bank/public holidays to their employees, and who therefore needed to increase their holiday entitlement provision from 1<sup>st</sup> October by 4 days, the Government has produced a Ready Reckoner to enable employers to calculate an employee's holiday entitlement for the current holiday year.

This newsletter has been published as general information on the interpretation and application of the law and in accordance with our website Terms and Conditions. It does not necessarily stand on its own and should not be relied upon as advice.