



### *The consultation on pregnancy and maternity discrimination will:*

- set out the current legal protections for pregnant women and new mothers under the Equality Act 2010 and the Employment Rights Act 1996
- ask how an extension of redundancy protection currently afforded under the Employment Rights Act for those on maternity leave and other types of family related leave and pay might work best, and how long this protection should last
- ask whether a similar protection should be afforded to other groups (such as those returning from other forms of long term childcare leave – principally adoption leave and shared parental leave)
- consider the existing approach to the enforcement of employment and equalities legislation in the context of recommendations from the Women and Equalities Select Committee
- discuss the 3-month time limit within which a claim of discrimination can ordinarily be brought to an Employment Tribunal

**The consultation will be available on GOV.UK and will run for 10 weeks ending on 5th April 2019.**

## *BEIS opens new consultation into protections for pregnant women and new parents returning to work*

**Pregnant women and new parents returning to work are set to receive greater protection from redundancy, under new government plans. The legal protections for parents including women on maternity leave could be extended to other parents, such as those returning from adoption or shared parental leave.**

The consultation, launched on 25th January 2019, proposes that the legal protection against redundancy for pregnant women and new mothers on maternity leave is extended so that it continues for up to 6 months after they return to work. It will also seek views on affording the same protection to parents returning from adoption leave or shared parental leave.

Research commissioned by the Department for Business, Energy and Industrial Strategy (BEIS), found 1 in 9 women said they had been fired or made redundant when they returned to work after having a child, or were treated so badly they felt forced out of their job. The same research estimates 54,000 women a year may lose their jobs due to pregnancy or maternity.

Research commissioned in collaboration with the Equality and Human Rights Commission (EHRC) in 2016 found that 11% of women reported they were either dismissed; made compulsorily redundant, where others in their workplace were not; or treated so poorly they felt they had to leave their job. 20% of mothers reported other financial loss which included failing to gain a promotion, salary reduction, a lower pay rise or bonus, not receiving non-salary benefits and/or demotion.

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## 'Significant moment' in Glasgow equal pay claim



It was confirmed on the 17th January, that Glasgow City Council and the Joint Claimant Organisations, GMB, Unison, Unite and Action 4 Equality, have reached an agreement that will lead to the settlement of 14,000 equal pay claims.

GMB Scotland Organiser Hazel Nolan said; "This is a significant moment and is recognition of the value of women in this city, brought about by the women themselves understanding their own value and fighting for it together.

"Much will be said about the scale of the settlement reached but when you're a worker

on a wage what you're selling ultimately is your time, and decades of systematic gender discrimination meant that women in Glasgow were forced to work longer hours for less.

"We need to be clear that this can only financially compensate women for the time stolen from them, the time that could have been spent with their families and loved ones can't be repaid.

"What is important now is that the claimants and their families can have confidence in this agreement and in the process of delivery in the coming weeks and months."

## Domestic abuse bill to ban family court cross-examination

Nearly two years after the government pledged to end the cross-examination of domestic violence victims by their alleged abusive ex-partners in the family courts, it has finally unveiled a draft bill to end the controversial practice. The bill will also introduce the first statutory definition of domestic abuse to specifically include economic abuse, as well as controlling and manipulative non-physical abuse.

The government says it decided to introduce a ban on cross-examination in the family courts following a unanimous response to its call for evidence at stakeholder events last year.

In criminal proceedings, the court can make an order preventing an unrepresented defendant cross-examining the alleged victim in person. In family proceedings, judges can

use their general case management powers to prevent a victim from being cross-examined in person by the alleged perpetrator, but the family court currently cannot appoint a legal representative to represent the victim and conduct the cross-examination in their place.

Women's Aid, which last year published research revealing shocking attitudes of how family courts handle domestic abuse, said it was 'delighted' that the government has listened to its 'Child First' campaign and introduced a ban.

According to an impact assessment published by the government, it will cost approximately £8m a year to fund legal representatives to prevent victims being cross-examined by their alleged abuser. HM Courts & Tribunals Service will also face administrative costs.



## DoGender pay gap reporting: Preparing for 2019



Last year over 10,500 companies publicly reported their gender pay gap figures in line with the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017.

By the deadline of 4th April 2018 just over 94% of companies had reported with 100% compliance achieved by August 2018. The figures showed that women's mean hourly pay was 14.3% lower than men's and that only 12% of reporting companies had a pay gap in favour of women. Companies are likely to come under increased pressure to narrow this gap in 2019. In reality, numbers are not going to improve this year as most of the issues

driving pay gaps require a longer term solution. Each business' circumstances will be different but demonstrating a clear understanding of what is causing pay gaps and committing to action that, over time, will reduce those gaps is a high priority. Businesses need to address traditional male and female role divisions and why women tend to work in lower paid roles.

This year employers are coming to terms with the need for change and to set clear goals in order to demonstrate how diversity is a necessity. The government expects most employers to take five years to come to terms with the legislation and demonstrate real progress.

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