



Human Resources : Employment Law : Health & Safety

Risk Management in Employment Matters

Managing People : Managing Risk

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## Communications

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### **Employment law changes taking effect in October 2013**

The following changes to employment law have come, or will come, into effect this month:

The Enterprise and Regulatory Reform Act 2013 (Commencement No. 3, Transitional Provisions and Savings) Order 2013 brought into force section 65 of the Enterprise and Regulatory Reform Act 2013 which has repealed sections 40(2) to (4) of the Equality Act 2010 with effect from 1 October 2013. Section 40 was the provision under which an employer could be vicariously liable for the discriminatory harassment of an employee by a third party if a third party had harassed the employee on at least two previous occasions and the employer was aware of this, and the employer had failed to take reasonably practicable steps to stop the harassment. However, other discrimination law and health and safety protection still apply to protect employees and so employers must nevertheless continue to deal appropriately with allegations of harassment or mistreatment by customers, clients, contractors or suppliers.

The various rates of the national minimum wage increased from 1 October 2013 under the National Minimum Wage (Amendment) Regulations 2013. The adult rate for workers aged 21 and over increased from £6.19 to £6.31 per hour, the rate for 18-20 year olds increased from £4.98 to £5.03 per hour, the rate for 16-17 year olds increased from £3.68 to £3.72 per hour and the apprentice rate increased from £2.65 to £2.68 per hour. Finally, the accommodation offset increased from £4.82 to £4.91 per day.

From 7 October 2013, wide-ranging reforms to the court fee remissions system are implemented, and these reforms will also apply to employment tribunal fees. The Courts and Tribunals Fee Remissions Order 2013 introduces a new standardised, single fee remissions system for courts and tribunals. The revised remissions system has two tests, the first of which will assess disposable capital and the second, gross monthly income. Both of these tests must be met to qualify for a fee remission. A fee remission is a full or partial waiver of the fees payable. Previously, the remission system did not assess disposable capital.

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