

General election 2019: our at-a-glance guide to the employment law proposals of the three main political parties

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Employment Law News

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General election 2019: our at-a-glance guide to the employment law proposals of the three main political parties

With Brexit, the NHS and the fitness or otherwise of party leaders to be Prime Minister dominating the 2019 General Election, you could be forgiven for having missed the some of the detailed proposals set out in the parties' election manifestos. Here, we compare the key proposals of the three main parties across various areas of employment law.

With their attention fully focused on *"getting Brexit done"*, the Conservative party's proposals are thin on the ground and light on detail. The few concrete proposals are typically old ideas, originating from the Taylor Review or from bills that fell when Parliament ended. The remainder of the proposals contain many promises to conduct reviews or develop strategies, with little in the way of firm commitment. Although not in the written manifesto, in the last few days Chancellor Sajid Javid has committed to reviewing the proposals to reform the IR35 regime in the private sector (due to come into force in April 2020) to check if they are the right way forward.

By contrast, the Labour Party promises the *"greatest extension of workers' rights in history"*. Indeed, their proposals are wide ranging, specific and radical, for example, increasing holidays and reducing working time, significantly strengthening trade unions and putting workers on boards. They also plan to introduce a single worker employment status with full employment rights from Day 1, meaning, for example, that the hurdles to bringing an unfair dismissal claim would be swept away.

Finally, the Liberal Democrats' proposals are mainly directed towards helping workers operating within the gig economy. Their statements in other areas are relatively modest, although, like Labour, they make bold proposals for strengthening the voice of workers in company decision-making.

	Conservatives	Labour	Liberal Democrats
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<p>Employment rights in general</p>	<ul style="list-style-type: none"> • Create a single enforcement body to police abuses of employment laws. • Extend the entitlement to leave for unpaid carers to 1 week. 	<ul style="list-style-type: none"> • Establish a new Ministry for Employment Rights. • Establish a Workers' Protection Agency to enforce workplace rights. • Keep Employment Tribunals free and extend their powers. <ul style="list-style-type: none"> • Introduce new Labour Courts. • Strengthen redundancy and unfair dismissal rights. <ul style="list-style-type: none"> • Strengthen protection for whistleblowers. • Introduce 10 days' paid leave for survivors of domestic abuse. 	<ul style="list-style-type: none"> • Establish a new Worker Protection Enforcement Authority to protect those in precarious work.
<p>Employment status</p>	<ul style="list-style-type: none"> • Give workers the right to request a more predictable contract. 	<ul style="list-style-type: none"> • Introduce a single status of worker for everyone, apart from the genuinely self-employed. <ul style="list-style-type: none"> • All workers to be given full employment rights from Day 1 of their job. <ul style="list-style-type: none"> • Ban zero hours contracts. • Ban unpaid internships. • Right to request a regular hours contract after 12 weeks. • Require proper notice from employer for changes to working hours. 	<ul style="list-style-type: none"> • Introduce a new dependent contractor employment status which comes with basic employment rights such as sick pay and holiday pay. <ul style="list-style-type: none"> • Shift the burden of proof regarding employment status from individual to employer. <ul style="list-style-type: none"> • Review the tax and NICs status of employees, dependent contractors and freelancers. • Give agency workers and zero hours workers the right to request a fixed hours contract after 12 months.
<p>Independent contractors</p>	<ul style="list-style-type: none"> • Review how the self-employed can be better supported, for example by improving their access to finance and credit, making the tax system easier to navigate and improving broadband. • Review whether the reforms to the IR35 regime in the private sector are the right way forward. 	<ul style="list-style-type: none"> • Self-employed to be given additional rights e.g. free childcare and collective income protection insurance schemes. • Tackle late payments to the self-employed, including by banning late payers from public procurement. 	<ul style="list-style-type: none"> • Review whether the reforms to the IR35 regime in the private sector are the right way forward.

<p>Equality and diversity</p>	<ul style="list-style-type: none"> • Publish a National Strategy for Disabled People before the end of 2020 which will look at ways to improve job opportunities and access for disabled people. • Reduce the disability employment gap. • Action to protect people from assault or harassment on grounds of sex, sexual orientation, ethnicity, religion or disability. 	<ul style="list-style-type: none"> • Create a new Department for Women and Equalities and a new Race Equality Unit. <ul style="list-style-type: none"> • Enable positive action for recruitment where greater diversity can be justified. • Urgent review into the use of all-BAME shortlists in public sector roles. • Develop a cross-party strategy on how to end under-representation in all aspects of public life and how to increase diversity at all levels. • Introduce new right to disability leave to be recorded and treated separately to sick leave. • Introduce a Code of Practice on reasonable adjustments, including timescales for implementation. • Launch an inquiry into name-based discrimination and consider rolling out name-blind recruitment practices. • Reintroduce employer's liability for third party harassment. <ul style="list-style-type: none"> • Require workplaces with 250+ employees to be certified by the Government on gender equality or face fines (to be lowered to 50+ employees by 2020). • Require all large employers to have menopause policies. 	<ul style="list-style-type: none"> • Extend protection for gender reassignment to cover gender identity and expression. • Recognition of non-binary gender identities. • Ban caste discrimination.
<p>Pay gap reporting / equal pay</p>	<ul style="list-style-type: none"> • No proposals. 	<ul style="list-style-type: none"> • Widen and strengthen existing gender pay gap legislation. • Extend pay gap reporting to BAME workers. • Extend pay gap reporting to disabled workers (in companies with 250+ workers). • Impose fines on employers who do not take steps to close pay gaps. • Make the state responsible for enforcing equal pay. 	<ul style="list-style-type: none"> • Extend pay gap reporting to BAME employees. • Extend pay gap reporting to LGBT employees.
<p>Working mothers</p>	<ul style="list-style-type: none"> • Reform redundancy law so that employers cannot discriminate against women when they return from maternity leave. 	<ul style="list-style-type: none"> • Extend statutory maternity pay from 9 months to 12 months. • Ban the dismissal of pregnant women without prior approval by a Government body. 	<ul style="list-style-type: none"> • Parental leave rights from Day 1 of employment.
<p>Working fathers</p>	<ul style="list-style-type: none"> • Promise to look at ways to made it easier for fathers to take paternity leave. 	<ul style="list-style-type: none"> • Extend statutory paternity leave from 2 to 4 weeks and increase statutory paternity pay. 	<ul style="list-style-type: none"> • Parental leave rights from Day 1 of employment. • Extend statutory paternity leave from 2 to 6 weeks.
<p>Other family-friendly</p>	<ul style="list-style-type: none"> • New right for parents to take extended leave for neo-natal care. • Promise to help create higher quality, affordable wrap around and school holiday childcare. 	<ul style="list-style-type: none"> • Review all family-friendly rights including rights to respond to family emergencies. • New right to 30 hours per week of free pre-school education for all children aged between 2 and 4 years old. • New right to statutory bereavement leave after the loss of a close family member. 	<ul style="list-style-type: none"> • Employers required to publish parental leave and pay policies. • New right to 35 hours of free childcare for 48 weeks per year for working parents with children between the ages of 9 and 24 months.
<p>Flexible working</p>	<ul style="list-style-type: none"> • Encourage flexible working and consult on making it the default position unless the employer has a good reason. 	<ul style="list-style-type: none"> • Make the right to request flexible working a Day 1 right. • Require all large employers to have flexible working policies. 	<ul style="list-style-type: none"> • Make the right to request flexible working a Day 1 right. • Employers to be required to advertise jobs as open to flexible working unless good reason not to do so.

Pay	<ul style="list-style-type: none"> • Increase the National Living Wage to 2/3rds of average earnings and extend it to those aged 21 and over (current age limit is 25). 	<ul style="list-style-type: none"> • Rapidly introduce a Real Living Wage of at least £10 per hour for all workers aged 16 and over. • Enforce payment for shift breaks and cancelled shifts. <ul style="list-style-type: none"> • Maximum pay ratios of 20:1 in the public sector. 	<ul style="list-style-type: none"> • Consult on how to set a genuine Living Wage and pay that in the public sector. • Setting a 20% higher minimum wage for those engaged on zero hours contracts.
Working hours	<ul style="list-style-type: none"> • No proposals. 	<ul style="list-style-type: none"> • Introduce 4 new Bank Holidays. • Keep Sunday trading restrictions in place. • Set up a Working Time Commission to advise on raising minimum holiday entitlements and reducing weekly working time. <ul style="list-style-type: none"> • Abolish the opt out of the EU Working Time Directive (thereby limiting the maximum working week to 48 hours). • Within 10 years, reduce average working hours to 32 hours per week without pro-rating pay. • Review practice of unpaid overtime. 	<ul style="list-style-type: none"> • No proposals.
Trade unions and collective bargaining	<ul style="list-style-type: none"> • No proposals. 	<ul style="list-style-type: none"> • Repeal of the Trade Union Act 2016. <ul style="list-style-type: none"> • Introduce compulsory sectoral collective bargaining on minimum standards for pay and working hours, which every employer in that sector must follow. • Introduce electronic balloting. • Strengthen trade unions' right of access to workplaces for activity and recruitment. • Greater protections for trade union representatives. • Review and simplify the rules on union recognition. 	<ul style="list-style-type: none"> • Strengthen trade unions' right of access to workplaces.
Corporate governance	<ul style="list-style-type: none"> • Improve incentives to tackle the problem of excessive executive pay and rewards for failure. 	<ul style="list-style-type: none"> • Introduce Exclusive Ownership Funds to give employees a collective stake of up to 10% in the company, with dividend payments of up to £500 per year per worker. • Require 1/3rd of seats on a company board to be reserved for elected worker directors and given them a say in executive pay. 	<ul style="list-style-type: none"> • Employees in listed companies with 250+ employees would have the right to request shares in the company. <ul style="list-style-type: none"> • Stengthen the role of workers in decision-making, including on remuneration committees. • All UK-listed companies with 250+ employees to include at least 1 employee representative on the board.

[Conservative Party Manifesto 2019](#)

[Labour Party Manifesto 2019](#) and [Labour Party Race and Faith Manifesto 2019](#)

[Liberal Democrat Manifesto 2019](#)

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