

Employment Law Update

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BAKER & MCKENZIE

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Draft Equality Act 2010 (Gender Pay Gap Information) Regulations 2016

The draft regulations which will require larger employers to disclose a gender pay gap have given rise to a number of questions and areas of uncertainty. Whilst final regulations are not expected before summer this year, the Government Equalities Office has sought to clarify some of these issues.

[> Read more](#)

Vicarious Liability: Supreme Court finds employer vicariously liable for employee's physical attack on customer

The Supreme Court has found that a supermarket employee's attack on a customer was sufficiently closely connected to his employment to hold the supermarket vicariously liable for the customer's injuries. The court confirmed that the key question is whether the wrongdoing is so closely connected to the wrongdoer's employment so as to make the employer liable. That question should be looked at broadly looking at the nature of the employee's job.

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Maternity: Employers do not need to continue childcare vouchers provided under a salary sacrifice scheme during maternity leave

The EAT has held that childcare vouchers funded by way of salary sacrifice constitute "remuneration" and that, as such, they do not need to be provided during maternity leave.

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Early Conciliation: EAT confirms that the "corresponding date" rule applies to extension of time under the early conciliation rules

The EAT has confirmed that the "corresponding date" rule applies when calculating the extension of time given to claimants to submit a Tribunal claim under the early conciliation rules.

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Data Protection: EU General Data Protection Regulation

The European Parliament has voted in favour of a new EU General Data Protection Regulation. The new Regulation will apply directly to public and private sector data controllers in the EU when implemented in 2018. Please click [<here>](#) for our summary of the key changes to be introduced by the Regulation.

In readiness, the Information Commissioner has published a "12 steps to take now" checklist for UK organisations to assist with preparation for implementation of the Regulation. The checklist covers issues such as changes to subject access requests and the reporting of data breaches. Further guidance both from the ICO and at EU level is expected.

Click [<here>](#) to view the checklist.

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New ACAS guide - Sex discrimination: key points for the workplace

ACAS has published a new guide to help employers understand the laws around equality and to prevent sex discrimination in the workplace. The guide gives examples of workplace issues in a number of areas including recruitment, pay, promotion, training and redundancy selection, together with best practice guidance on how to prevent / deal with them.

Click [<here>](#) to view the Guide.

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Board diversity: a six step guide to good practice

The Equality and Human Rights Commission has published guidance on improving diversity on company boards and at senior management level. The guide sets out six practical steps that companies can take when making appointments to ensure that the best candidate for a particular role is appointed on merit. The guide also makes recommendations for increasing diversity across the workforce.

Click [here](#) to view the guidance.

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