

New law 'to give 400,000 more parents flexible hours' [GB] ^[1]

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EXCERPTS:

More than 400,000 extra parents will be granted requests for flexible working hours each year as a result of planned new legislation compelling employers to consider such requests seriously, ministers will forecast today.

The trade and industry secretary, Patricia Hewitt, will unveil new laws compelling employers to go through a formal process - potentially ending in a tribunal - when mothers and fathers of young children ask for changed hours to help them combine work and family life.

The package was drawn up in response to the report of the government's taskforce on work and parents, also published today.

It will stop short of the demands of family groups that the onus should be on employers to prove a business case for refusing a parent's request for flexible working.

Instead, employers will have the right to refuse a request on business grounds, and will be obliged only to show that they have abided by a government-set process of consideration.

The right to have a request for changed hours seriously considered will apply only to parents of children aged under six, or a disabled child up to 18, again disappointing campaigners who wanted it to cover all families with school-age children.

The government acknowledges that the reforms will leave family campaigners unsatisfied. Ministers have already rejected demands for a legal right for parents to work child-friendly hours, saying the move would inflame business.

The taskforce, heralded in Labour's election manifesto, was charged merely with establishing how thoroughly employers would be compelled to consider requests for flexible hours.

Ms Hewitt will today argue that the new law - due to come into force in April 2003 - will accelerate sluggish progress towards a better balance between work and family life. She will say that a change which would have taken 20 years without government intervention will be brought forward by a generation.

The government estimates that, of the 3.8m working parents with children under six, 509,000 more each year will ask for changed hours. Of those, ministers believe that 82% - about 418,000 - will have their requests accepted. Fewer than 8% of cases are expected to reach a tribunal.

The setting of such benchmarks, plus a commitment to monitor the effectiveness of the legislation closely, will offer some reassurance to campaigners concerned that the reforms do not go far enough - although it will not prevent strong criticism from some unions and family groups.

Employers, particularly small businesses, are also likely to raise concerns about further regulation and an increase in tribunals.

The changes, expected to be included in the employment bill currently before parliament, will lay out a procedure for parents seeking changed hours to allow them more time with young children. Employees will be required to make a specific written request suggesting how they believe their company could adapt or cover their current hours, using advice from government leaflets and a helpline.

Employers will then have to examine the business case for flexible working, with an obligation to hold a meeting with the employee within a month of receiving their request. They will then have to write to them with a decision, setting out clear business reasons for any refusal. The government predicts that 80% of requests will be settled at this stage.

Where an employee wishes to challenge a refusal, there will be an appeal hearing within the company, and then, if disagreement continues, mediation or arbitration and ultimately a tribunal. However, tribunals will not be able to challenge an employer's business reasons for refusal, confining judgment to whether the correct processes have been followed in considering the request.

The TUC is expected to give the reforms a cool welcome, indicating that the campaign for better rights for parents will continue.

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