

Employment - Flexible Working

Flexible Working regulations, first introduced in 2003, extended in 2007 and again in 2009, were designed to protect the needs of employees with caring responsibilities in the home, and give any employee with a minimum of 26 weeks service the right to request Flexible Working arrangements.

The regulations give employees with any of the following caring responsibilities the right to request Flexible Working arrangements:

- Children under the age of 16
- Disabled children under the age of 18
- Adults requiring care, who may be family members or people resident at the same address as the employee

Failure to handle such requests properly within the regulations can result in tribunal claims for compensation. While tribunals do not have the power to impose Flexible Working arrangements, and compensation is currently limited to 8 weeks salary, many claims under these regulations are accompanied by Sex Discrimination actions, where compensation levels are uncapped.

So how can Leeds Day Solicitors help?

As a business owner or manager, you have a duty to deal seriously with such requests.

Leeds Day will help you to:

- Ensure you treat the request with due seriousness Assess whether the request can be fairly accommodated by your business, or whether there are reasonable grounds for refusal, which may include:
 - The burden of additional cost to the business

- Any detrimental effect on your ability to meet customer demand
- The inability to reorganise work among existing employees
- The inability to recruit additional staff
- A detrimental effect on quality or performance
- An insufficiency of work during periods in which the employee proposes to work

- Advise you on the required timescales for acknowledgement and discussion of the request, notification of your decision and appeal procedures under the statutory provisions.

- Implement appropriate disciplinary procedures where the right to request Flexible Working is abused.

To discuss the challenges of managing Flexible Working requests without undue risk to your business, or any other Employment Law issue you may be facing, please call Andrew Roberts and his team on 01480 464600.

Contacts

For further information, please contact your usual Leeds Day contact or

Andrew Roberts
Partner
01480 464600
Andrew.roberts@leedsday.co.uk

