

Employment Matters



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Welcome to Issue 4 of the Earl Street newsletter.

We hope that you find the newsletter a valuable resource for your employment needs and a reminder that we are always just a phone call away from any enquiries that you may have.

This edition brings you up-to-the-minute tips on how to keep business running smoothly with temporary staff, how long term sick and maternity leave can impact on the business and an update on Earl Street News.

Filling that gap!

Many companies are discovering the benefits of using temporary staff during difficult trading times and the rewards it can bring to an organisation. It is an economic way of covering staff absences, whether it is through sickness or annual leave, as well as being a cost effective way to bring additional support in purely for the busy times when extra help is needed.



Temps like working for Earl Street

"Earl Street's professional and efficient temping service has added another dimension to my life; giving me something to get up for and making me feel that I am still a citizen."
Jon Allwright, 72 years young!

Earl Street offer a flexible and competitive solution for those companies who require occasional assistance at short notice – with an excellent pool of experienced temporary staff available from accounts to administration and industrial to IT help is quickly at hand for all departments throughout our organisation.

In accordance with Home Office regulations all temporary staff have relevant ID photocopied, are referenced and skill check assessed.

HR and Payroll support now available

Our two new services include offering professional HR advice and arranging for a specialist to contact you.

We can also take care of your company payroll, providing a cost effective solution for smaller companies. Let us deal with your payroll concerns and implement new legal requirements.

South East Water choose Earl Street

Earl Street is delighted to be assisting South East Water in recruiting new staff to work within their expanding Contact Centre based in Snodland, Kent.

Working closely with Mandy Clark, Contact Centre Manager for South East Water, Earl Street submitted, screened and arranged for initial interviews to be held in their boardroom at Laurel House.

Alex Craven, Director and Temporary Department Manager said:

"Earl Street Employment Consultants is extremely proud to have been asked by such a prestigious local client to assist with supplying staff. The feedback from South East Water has been extremely positive and we are continuing to work closely with them providing temporary Administration and Contact Centre staff."

How to deal with long term sickness



Amanda Finn
Associate Solicitor
Gullands Solicitors

In practice, managing sickness absence raises both legal and human resources issues. Employers and managers need to know how to deal with cases of sickness absence which can take different forms.

A regular Monday morning absentee due to the excesses of the weekend needs very different handling to an employee with disability issues on long term sickness absence.

The recent repeal of the statutory dismissal procedures will have an impact on how employers deal with those on long term sick leave. Employers should check and where necessary amend their current policy to take these alterations into account. Although the new ACAS (Advisory, Conciliation and Arbitration Service) code does not make it clear if long term sickness absence falls into its ambit, the accompanying ACAS guidance document does contain specific references to sickness absence and contains best practice as well as draft letters to use.

In an attempt to move from what an employee can't do whilst sick, to what he can do, the government are currently consulting on the proposal to change from "sick note" to "fit note". The idea being that in focusing on the positive this will encourage an earlier, possibly phased, return to work. Furthermore the proposal also contains the idea that the note will be transmittable in electronic form.

Other developments in this field are the long awaited answer to the question; **Does an employee on long term sick leave accrue holiday and can he claim paid holiday even where all other contractual and statutory sick pay has been exhausted? The simple answer is 'yes'.**

Finally care must be had when dealing with the long term sick particularly in relation to possible claims for disability

discrimination. A case at the beginning of the year caused much legal comment on the ability to apply a firm wide policy to all and thus avoid claims of discrimination. Previously applying a policy that had a disproportionate effect on disabled workers was a risky strategy. Any euphoria felt by employers was short lived as recent cases have stressed that the necessity to consider reasonable adjustments will fill any gap.

In short, the wise employer will always make information gathering an important part of any sickness policy. Keep in touch with the employee and extract as much information from medical practitioners as possible. In this way, should there be any dispute the employer can show that they made all reasonable enquiries in ascertaining the prognosis before taking any action.

For further information call 01622 689700 or visit www.gullands.com



"The key points for us are **flexibility, reliability** and professional day-to-day management. Earl Street have provided all three to consistently high standard, and are able to react promptly and positively on those occasions when problems occur."

James Clifton, Head of Production
DHL Global Mail (UK) Ltd

If you have an employee due to take maternity leave, please contact Earl Street today to see how we can help you.

Small businesses can banish baby blues

The announcement of a pregnancy is met with almost universal goodwill and happiness, but for small businesses it can potentially mean additional costs and staffing difficulties – a major problem for the 95% of Britain's 4 million small businesses which employ less than 5 people.

All women are entitled to take up to 52 weeks maternity leave – 26 weeks ordinary maternity leave and 26 weeks' additional maternity leave. During both ordinary and additional maternity leave you must continue to give your employee any contractual benefits she would normally receive, as if she were at work (eg. pay increases and holiday pay). If you contribute to an occupational pension you must make your usual contributions for the whole time she is receiving any **Statutory Maternity Pay (SMP)** or contractual maternity pay from you.

SMP defines how much women are entitled to earn whilst on maternity leave. SMP is paid for 39 weeks:

- 6 weeks at 90% of average weekly pay
- 33 weeks at £123.06 per week (SMP rate from April 2009)

From an employer's perspective, this can all sound rather expensive. Add in the problems of losing a key member of staff for up to 12 months and having to find an effective temporary

replacement and the situation can seem like a total disaster. So what can small businesses do to mitigate the effects?

- **Most importantly, talk to your employee at every stage. Discuss with her how long she intends to be off work and how you will manage in her absence – will you reallocate work or take on a temporary member of staff? Planning and discussion at every stage will help to make the whole process easier for you both.**
- Although your employee is not obliged to do any work during maternity leave, if you both agree, she can do up to 10 days work. These 'Keeping in Touch days' can be helpful to both of you when it is time for your employee to return to work.
- **You are entitled to claim back at least 92% of the SMP you pay. Small employers (ie. those with an annual liability for National Insurance contributions of £45,000 or less) are entitled to claim back 100% of the SMP plus an additional 4.5% as compensation for the NI contributions paid on the SMP. If paying SMP will cause you cash flow problems you can claim the money in advance.**

If you would like any further help or guidance call 01622 690666 or visit www.dsh.co.uk



Is technology actually damaging our communication?

As more and more of us are jumping on the social networking bandwagon and signing up to sites such as Facebook and Twitter in the hope of expanding our social networks and business relations, we may in fact be damaging our channels of communication with one another.

On the one-hand, businesses are seeing the benefits of using social networking sites to market their products and services, keep in touch with clients and make staffing decisions based on information that can be found on personal profiles.

Whilst on the other-hand, writing e-mails, tweets, blogs and wall posts can be an easy and convenient way to keep in touch with friends, family, co-workers and clients but the danger is these are often brief, generic, and can easily be misinterpreted due to the lack of emotion and tone we are able to put across in an actual conversation.

Face to face meetings and phone conversations are becoming few and far between in these busy times where every minute is precious. Employees are using e-mails to communicate with colleagues rather than walk to their desks, causing a real break down in office relationships. The constant flow of e-mails can be a real distraction and

can actually slow down the efficiency of work, whilst people wait for responses and sign off's which could be resolved with a simple phone call.

So the question is 'Are we actually over using social networking sites now and preventing *real* communication?' Is it really necessary for our clients to know everything about our personal lives or are our work and home lives better kept apart? Is it fair that our future employers judge whether or not to hire us based on a slightly embarrassing photo taken on a hen weekend two years ago? Will we end up having to set up a 'professional' business profile as well as a personal one? Do we spend too much time typing messages and analysing their true meaning rather than actually talking to each other?

For a *real* chat with a *real* person about your recruitment needs, visit Earl Street Recruitment today.



Temps like working for Earl Street
"I have really enjoyed working on temping assignments through Earl Street as it allows flexibility with a virtually the same benefits of a permanent job."
Claire Adkins

Moments to remember

Earl Street's love of India and its cultures and people has extended itself to the creation of a bespoke holiday company called **Kerala Moments**.

For those who like a unique holiday that enchants and provokes them, Kerala is a 'must see' destination.

Kerala moments offers packaged and bespoke itineraries around this relatively undiscovered part of India, nestled between the towering Western Ghats Mountains to the East and the sparkling Arabian Sea to the West.



To find out more, please visit www.keralamoments.com

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