

# EMPLOYMENT BULLETIN

# EMPLOYMENT BULLETIN

## EUROPE COURT OF JUSTICE RULINGS REDUNDANCY

The European Court of Justice (ECJ) has held that pregnant workers can be dismissed in a collective redundancy situation and are not entitled to priority treatment, save to the extent that national law provides it. However, it must be noted that in UK law there is a special protection granted to women who are at risk of redundancy while on maternity leave, who are entitled the right of first refusal of suitable alternative employment.

## CZECH REPUBLIC PATERNITY

With effect from 1<sup>st</sup> February 2018, fathers will be entitled to paid paternity leave of seven days to be taken within six weeks of the birth of a child or placement of an adopted child under the age of seven. Fathers will receive an allowance equal to 70% of their usual salary, paid directly by the social security office.

## GERMANY STATE PENSION

The employer's contribution to the state pension has decreased from 9.35% in 2017 to 9.30% in 2018.

## MATERNITY PROTECTION ACT

Amendments to the Maternity Protection Act become effective on January 1<sup>st</sup>, 2018. The aim of the new regulation is to ensure a modern and responsible approach to maternity leave.

## LUXEMBOURG PATERNITY

From January 2018 paternity leave will be extended allowing fathers to take 10 days' (up from 2 days') paternity leave within two months of the child being born. Employees receive full salary from the employer.

## NETHERLANDS MINIMUM WAGE INCREASE

The statutory minimum wage is €1,578.00 per month for those aged 22 and older as of 1<sup>st</sup> January 2018. The government adjusts the minimum wage twice a year in January and July.

## UNITED KINGDOM TAYLOR REVIEW RESPONSE

In February, The UK Government has promised an overhaul of employment rights to improve conditions

*Disclaimer*

*All of the information provided here and elsewhere in this bulletin is intended to provide general background information only, and should never replace the need for considered legal advice. Capital GES and its related companies will not accept any liability for any actions taken as a result of the information contained in this bulletin.*

for millions of workers, including those in the Gig Economy. The changes include stricter enforcement of holidays and sick pay rights.

## STATUTORY MATERNITY PAY INCREASE

Maternity pay is paid for up to 39 weeks: 90% of average weekly earnings for the first 6 weeks followed by either £145.18 (2018/2019) or 90% of average weekly earnings, whichever is lower, for the next 33 weeks. This increase takes effect on 1<sup>st</sup> April 2018.

## STATUTORY SICK PAY INCREASE

The rate of statutory sick pay is also increasing to £92.05 with effect from 6<sup>th</sup> April 2018.

## MINIMUM WAGE INCREASE

For most employees the minimum hourly wage as of 1<sup>st</sup> April 2018 is £7.83.

## SOUTH AFRICA

A national minimum wage will be introduced for the first time. From May 1<sup>st</sup> 2018 the minimum wage rate will be 20 ZAR per hour.

## OTHER PIECES EUROPE

### WORKING TIME

In the case of *Ville de Nivelles v Matzak*, the court has held that stand-by time spent at home must be viewed as 'working time' where constraints placed on the worker by the employer significantly restrict the worker's ability to pursue personal and social interests (i.e. non-work interests). Mr Matzak, a volunteer firefighter, was allowed to stay at home on call but had to be ready to attend the fire station within eight minutes of receiving a call. Mr Matzak was not paid for the time when he was on standby and, because he had to be ready very quickly to attend his job, the activities he was able to carry out while on stand-by were severely restricted.

### UNIONS: INDUSTRIAL WORKERS HOURS REDUCED IN GERMANY

In Germany, Industrial workers (IG Metall) in south-west Germany won the right to reduced working hours as part of a deal in February. These industrial workers will now be able to reduce their weekly hours from 35 to 28 for up to two years to look after their families (elderly or sick relatives, or children), They will also receive a 4.3% pay rise from April.

#### Disclaimer

All of the information provided here and elsewhere in this bulletin is intended to provide general background information only, and should never replace the need for considered legal advice. Capital GES and its related companies will not accept any liability for any actions taken as a result of the information contained in this bulletin.





Global Employment Solutions

# GET IN TOUCH

For more information on how Capital GES can help your company expand in a safe and compliant way, please contact our team of experts for more information.

For more interesting articles and discussions, find us on:



[facebook.com/capitalges](https://facebook.com/capitalges)



[twitter.com/CapitalGES](https://twitter.com/CapitalGES)



[linkedin.com/company/capital-ges](https://linkedin.com/company/capital-ges)

## SWISS OFFICE

Matt Walters

[matt.walters@capital-ges.com](mailto:matt.walters@capital-ges.com)

+41 32 732 97 00

## UK OFFICE

Nick Broughton

[nick.broughton@capital-ges.com](mailto:nick.broughton@capital-ges.com)

+44 7539 337 563

## US OFFICE

Javier Romeu

[javier.romeu@capital-ges.com](mailto:javier.romeu@capital-ges.com)

+1 954 803 4362

## BRAZIL OFFICE

Ana Vizzotto

[ana.vizzotto@capital-ges.com.br](mailto:ana.vizzotto@capital-ges.com.br)

+55 31 3194 8150

THE WORLD'S MOST TRUSTED  
EMPLOYMENT SOLUTIONS PARTNER