

WHAT DOES BREXIT MEAN FOR HR AND EMPLOYMENT LAW?



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TODAY'S SPEAKERS



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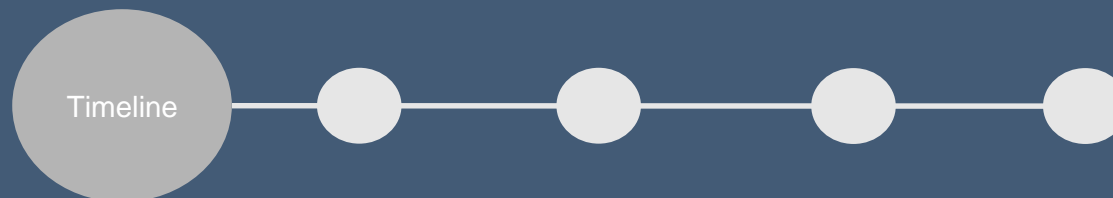
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WHAT ARE WE GOING TO COVER?

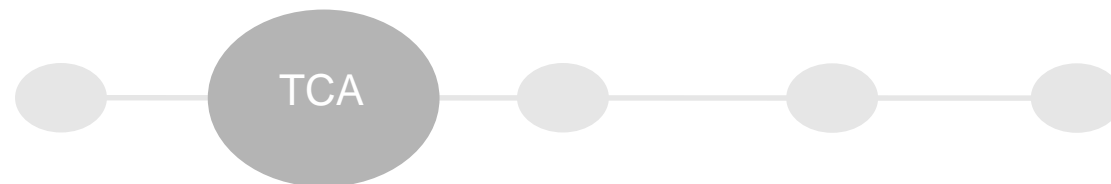


TIMELINE

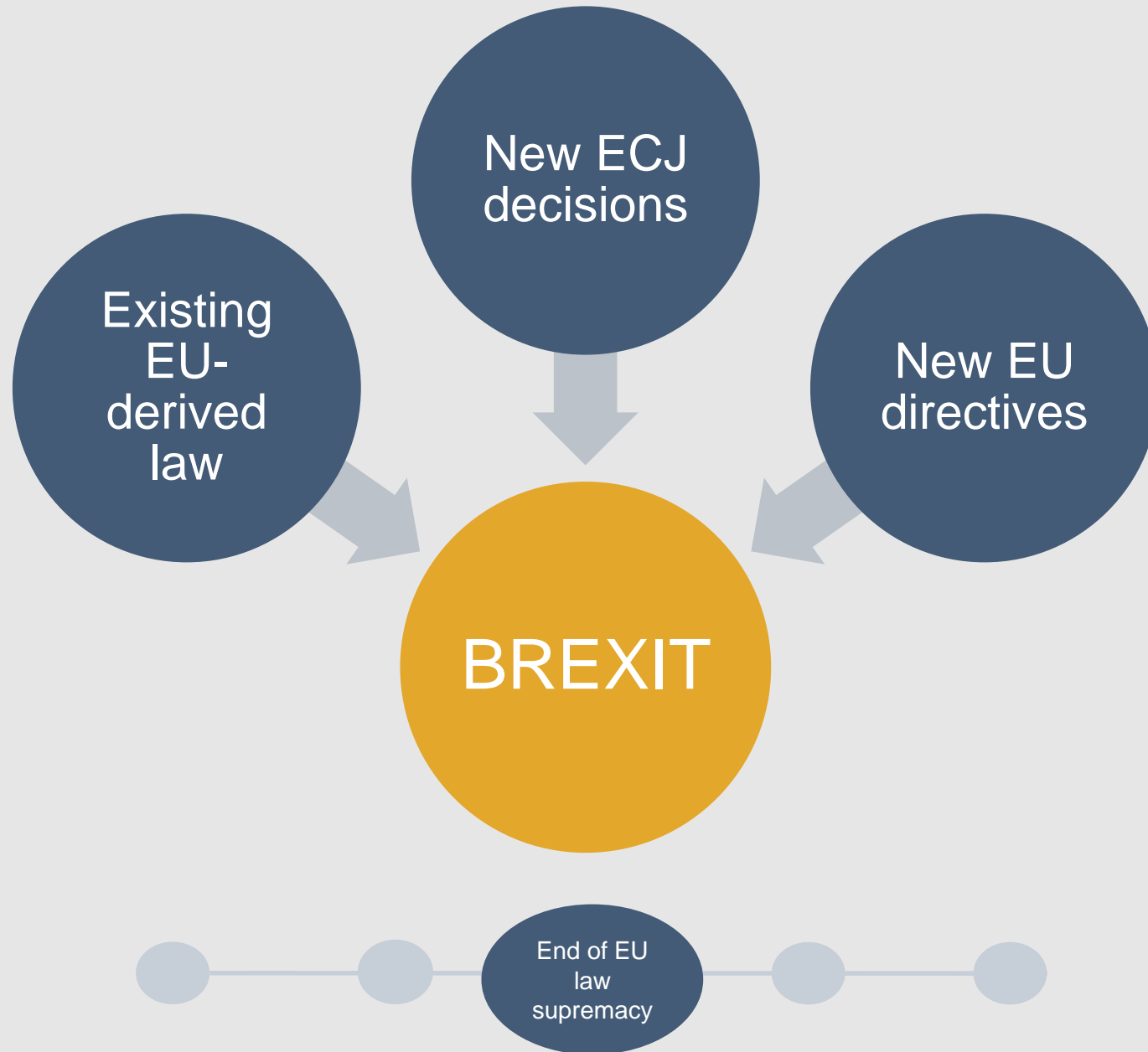


TRADE AND COOPERATION AGREEMENT (TCA)

- TCA commits both parties not to weaken employment rights
- Level playing field
 - Non-regression clause
 - Re-balancing measures
- Restriction but not a complete prohibition



END OF EU LAW SUPREMACY



WHAT FUTURE CHANGES ARE LIKELY?



Human rights



Working time
and holidays



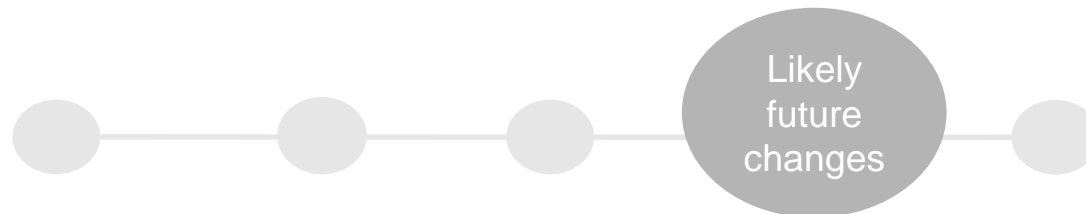
TUPE



Discrimination

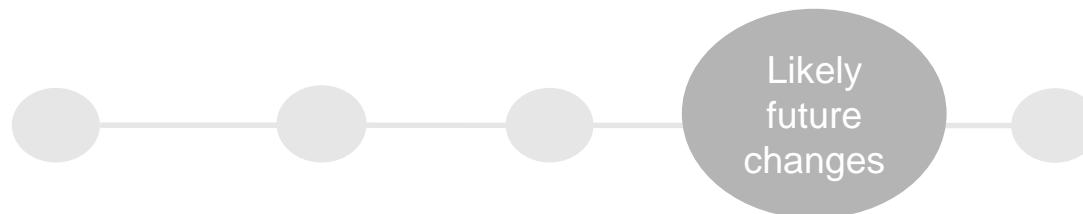


Family-related
leave and pay



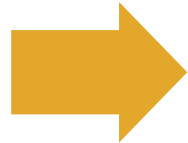
AREA BY AREA IMPLICATIONS

AREA	IMMEDIATE CHANGE?	FUTURE LIKELY CHANGES?
Human rights	No	UK's membership of ECHR remains unaffected
Discrimination	No	Any future change unlikely
Working time and holidays	No, except for retained EU regulations regarding drivers' hours and tachograph requirements which have been amended	Potential future changes relating to: <ul style="list-style-type: none">● Right to accrue holiday during sick leave● Holiday pay calculation
Family-related leave and pay	No	Any future change unlikely
TUPE	No	Any future change unlikely



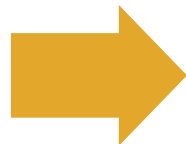
NEW IMMIGRATION SYSTEM – RECAP

EEA nationals
living in the UK on
or before 31 Dec
2020



Settled or pre-
settled status

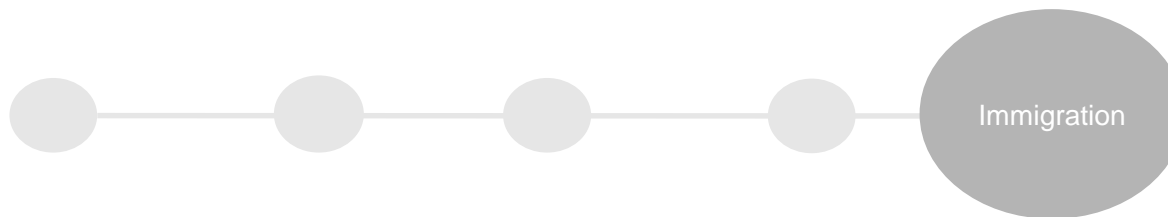
EEA nationals not
living in the UK by
then



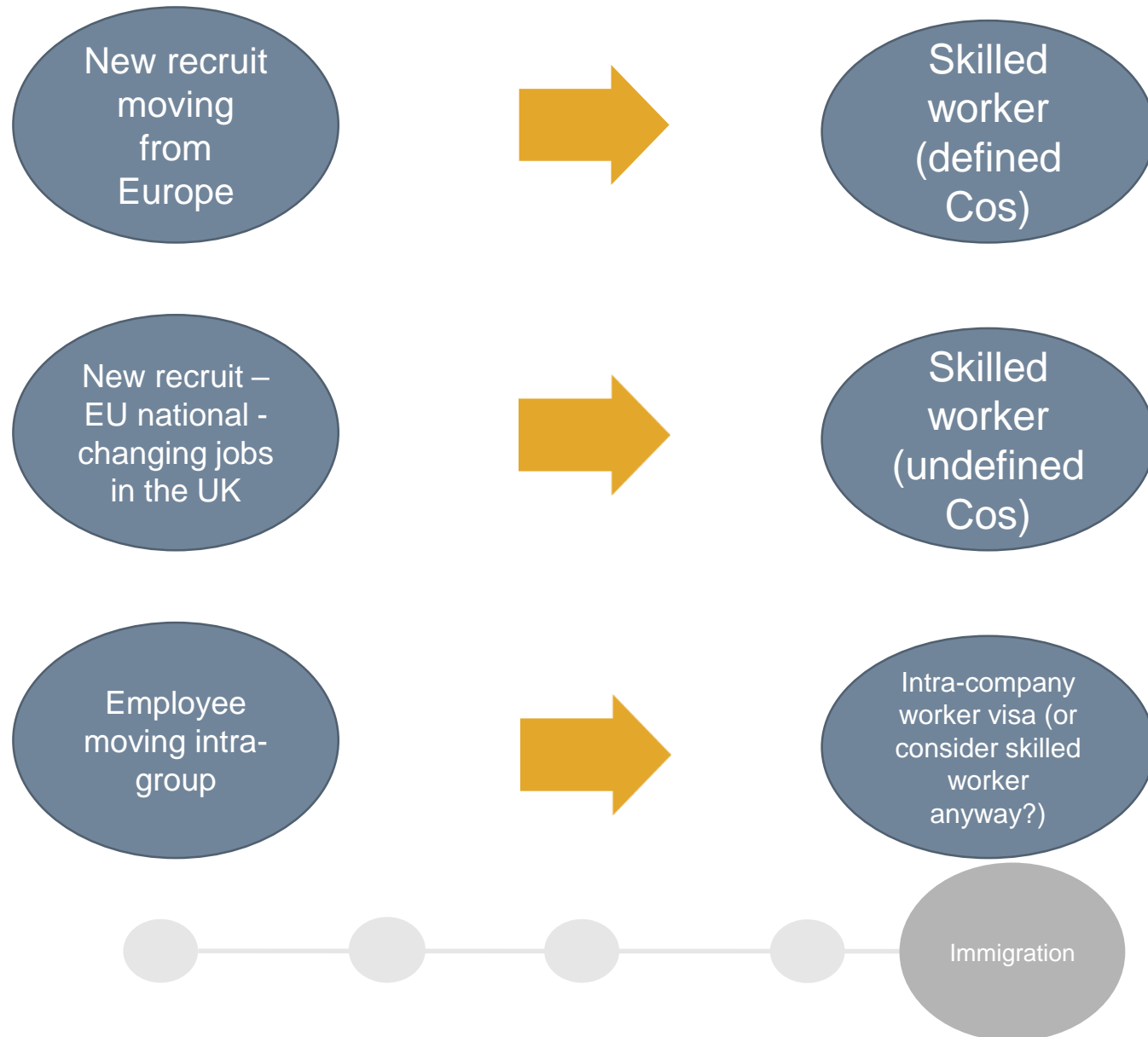
New
immigration
system

Skilled worker route

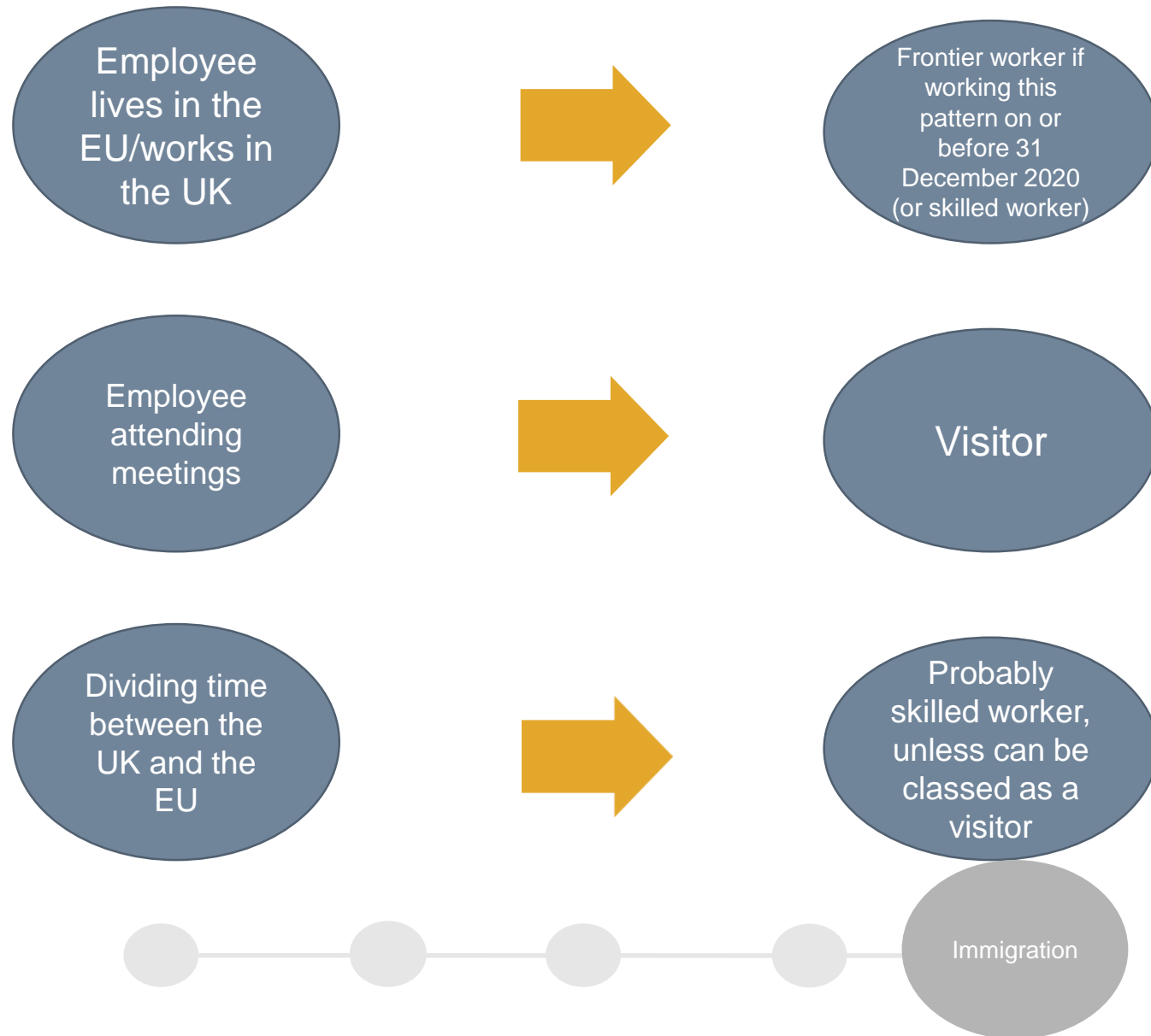
- Requires sponsorship from a licenced sponsor
- No resident labour market test
- Salary threshold lower than before = generally £25,600 or above
- Skill level = A level
- No national cap on the number of visas
- English language and maintenance requirements still apply



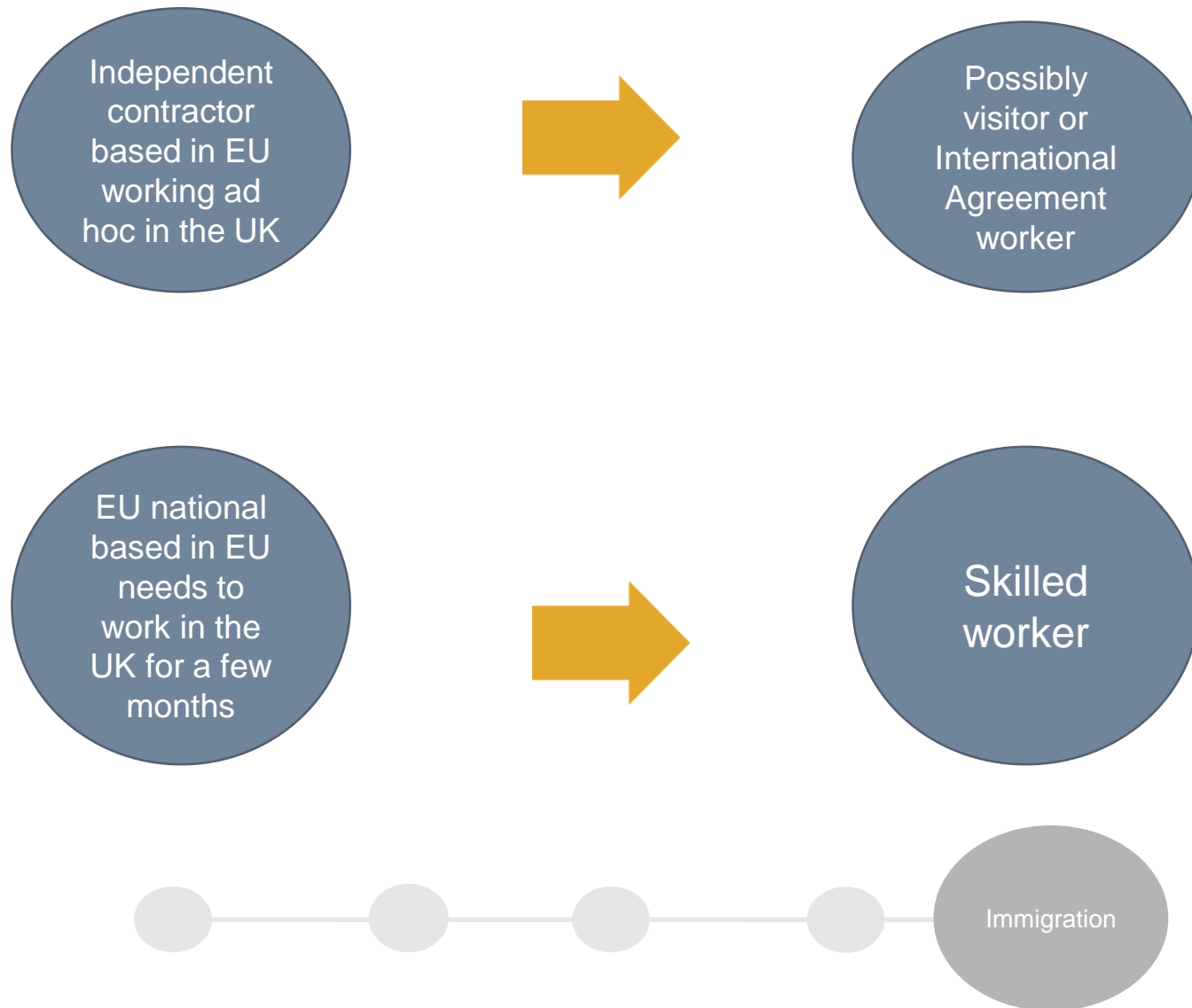
DIFFERENT WORKING PATTERNS (1)



DIFFERENT WORKING PATTERNS (2)

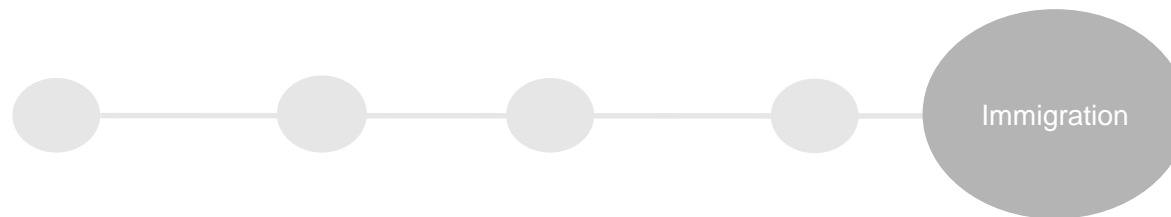


DIFFERENT WORKING PATTERNS (3)



BUDGET – POTENTIAL NEW IMMIGRATION ROUTES

- “Elite points-based visa”
- Automatic qualification for Global Talent
- New global mobility visa – Spring 2022
- Modernisation
- Support for small firms



RIGHT TO WORK CHANGES

Transition period

- During the Transition Period, no changes to the existing RTW check process and no distinction between EEA/ UK national employees.
- EEA passports and national ID cards will be valid documents.
- EEA nationals may share their settled/ pre-settled status – but this is not compulsory.
- Retrospective RTW checks on EEA nationals will not be required.

Immigration

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Please send any follow up questions to
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Asia, Europe, the Middle East and the UK

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