

## THE RETAIL AND CONSUMER HUB

*Whilst the dominating legal, as well as political, issue of 2017 is, hands down, Brexit, there have been other issues attracting our attention of late.*

*The topic of employee rights has been all over the headlines. By international standards, the UK has a high share of permanent, high quality jobs but this story has been marred recently by stories of poor employment practices in certain high street retailers, the use of agency workers in other retail giants and employees engaged in the gig economy who are, it is said, being denied rights such as holiday pay and sick pay because they have, wrongly, been classified as self-employed when they are actually workers. The government has acknowledged the issue (not least because it is believed it may lose up to £3.5bn in tax revenues by 2020-21 as a result of the rise in self-employed "gig" workers) and several reviews and studies have been launched, the key one being the Taylor Review, the results of which are expected in June. April will also see the introduction of the new Gender Pay Gap Regulations, an attempt to get businesses to tackle this complex societal issue.*

*Modern Slavery has also been grabbing our attention, even more so since the launch of the government's campaign which adopted the slogan "modern slavery is closer than you think". The message is loud and clear that more needs to be done to deal with it.*

*Even though these are real people issues, there is possibly no more emotive subject at the moment than Brexit and we look in our article below at the Supreme Court judgment handed down last month and where that now takes us.*

*It certainly feels like we are in for more of a bumpy ride over coming months!*



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### This month's articles...

#### Modern Slavery – closer than you think, but what can you do?

In 2014, the Home Office launched a high-profile campaign to raise awareness about modern slavery. The slogan "modern slavery is closer than you think" appeared on posters and television adverts. The message was clear: these terrible things are happening right here in the UK, today.

What reactions did the campaign provoke? Surprise? Horror? Disbelief? Many retail and consumer businesses knew that issues existed in their supply chains overseas and – to a greater or lesser extent – were taking steps to tackle them, but were perhaps unaware of the extent of the problem in the UK. Our [article](#) looks at a case study of the investigation of a UK agri food business and what we can learn from the investigation.

#### Barcodes – Who owns them and how can you use them?

Virtually every product sold will bear a barcode yet most people will not have considered who the legal owner of that barcode is or whether there are any limitations on the use of that barcode. In this [article](#) we look at the purpose of a barcode, who owns barcodes and what happens if another company applies your barcode to its products or its barcode to your products.

## Supreme Court requires Government to consult Parliament before triggering Article 50.

In this [article](#) we look at the Supreme Court judgement handed down on 24 January 2017 requiring the Government to obtain the consent of Parliament before triggering Article 50 and the UK's withdrawal from the EU.

## Gender Pay Gap Reporting

On 6 April 2017, new regulations will come into force requiring all employers in the private and voluntary sectors with 250 or more employees to publish certain data outlining the differences in pay between their male and female employees. If your business falls in scope, failure to comply with the requirements could lead to serious reputational damage if the government "*names and shames*" your business. Equally, failure to comply could lead to adverse reactions within your workforce itself and also deter new talent, investors and even customers from engaging with your business. You, therefore, need to get it right, find out how we can help in our [article](#) that outlines some of the tricky questions around gender pay gap reporting.

## Our events

### Working practices seminar

2016's high-profile Tribunal ruling that Uber drivers were not self-employed contractors, but are in fact entitled to the same employment rights as "workers", brought the issue of employment status into sharp focus. This decision was followed in January of this year by a similar ruling involving couriers for delivery company, CitySprint. These cases do not stand in isolation - new technology combined with new business models has led to a rise in workers doing short-term, casual work. Join our Employment Group for [a roundtable discussion](#) on the "gig" economy and modern working practices.

### Essential Employment Seminar

Join our Employment team at the [HR seminar on essential employment law](#) on 8 March at our London office. Where we will look at; the key employment law developments from the last 12 months and consider what lies ahead in 2017; the raft of changes that lie ahead in the field of employee incentives and benefits in 2017 and 2018; Gender pay gap reporting: what are the tricky issues and how should you deal with them and the risks of refusing a flexible working request: lessons from recent cases.

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