



THE EVOLVING WORKFORCE

What does the future have in store for workers and their employers?



The workplace is changing. "Offices" are decentralised, working hours are no longer "9 'til 5" and job-for-life employees are a thing of the past with the average retail worker moving on after 2 years. On demand recruitment is commonplace as retailers fill short-term, seasonal needs. Work and personal life are no longer clearly demarcated and technology is playing a greater role in the retail workplace, requiring employees to be more tech-savvy than ever before.

- ▶ With the extension of flexible working laws and an acknowledgment from management that greater flexibility often means happier and more productive staff, applications to **work flexibly** are on the rise. The headache for employers comes if they receive multiple and potentially conflicting requests; it can often be a struggle to accommodate everyone.
- ▶ Over the last few years, **zero hours contracts** have increased - according to the ONS their use grew by 100,000 in 2014. With the political controversy and adverse publicity surrounding their use in the first half of 2015 having abated since the general election, they are now back on the agenda for many employers again. As there is no legal prohibition on zero hours contracts, many employers believe they provide a flexible way of dealing with seasonal work flows.
- ▶ In the largely shift-based world of retail, employees have always been alive to their rights under the Working Time Regulations but the ever-changing world of **holiday pay** means that this is a truly "hot topic" at the moment, especially for those on commission-based pay arrangements or who work regular overtime.
- ▶ The planned introduction in April 2016 of the **"living wage" (£7.20 per hour for over 25s)** has prompted much debate. Some commentators believe that the additional wage bill could lead to store closures and fewer jobs. Other retail giants like **Ikea** have announced plans to pay workers **more** than the living wage when it comes into play.
- ▶ Under existing laws, shop workers can opt out of **Sunday working** but there are plans to relax Sunday trading laws in England and Wales. Research shows that extending Sunday trading by two hours in London alone would create nearly 3,000 jobs, generating more than £200m a year in extra income.
- ▶ Recently, the retail sector has been employing more **older workers**. For instance, reportedly 8% of B&Q's workforce are aged over 65. Many retailers have customers of all ages and so having an equally diverse workforce can only be a good thing.

Magic circle quality, without the cost

CHAMBERS LEGAL DIRECTORY – EMPLOYMENT

GENERAL ADVISORY

- ▶ Zero hour contracts
- ▶ Flexible working
- ▶ Working time regulation compliance
- ▶ Minimum and living wage
- ▶ Agency workers, contractors and temps

DISPUTES

- ▶ Employment Tribunal Litigation
- ▶ County Court and High Court Litigation
- ▶ Senior executive terminations
- ▶ Settlement Agreements
- ▶ Workplace mediation

TRANSACTIONS

- ▶ TUPE and outsourcing
- ▶ Restructures and redundancy
- ▶ Acquisitions and mergers
- ▶ Change management

OTHER SPECIALISMS

- ▶ Pensions
- ▶ Incentives
- ▶ Health & Safety
- ▶ Immigration

Who we've helped

We are an experienced team advising across all elements of employment spectrum, from day-to-day matters to key strategic projects. We are retained employment advisers to a number of leading retailers including **Abel & Cole**, **boohoo.com**, **Britvic**, **Co-operative Group**, **Diageo**, **HSS Hire**, **Jaeger**, **JD Sports**, **John West Foods**, **McBride**, **Premier Foods**, **Primark**, and **Tate & Lyle**.

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