

This Week in Employment Law

The Low Pay Commission consults on minimum wage

The Low Pay Commission (LPC) has released a consultation seeking input that will help shape the recommendations they will make to the Government on minimum wage rates for April 2026.

- This year's consultation is also seeking views on how the National Living Wage (NLW) rate can be extended to all workers aged 18 and over.
- The LPC has outlined two options for lowering the age of entitlement to the NLW. These are:
 - Reduce the age of entitlement by one age group at a time. First extending the NLW to 20-year-olds, then 19-year-olds, then 18-year-olds.
 - Increase the 18-20-year-old rate faster than the NLW over a number of years until the two are aligned.
- Both options would involve a significant increase in the wage floor for 18-20-year-olds.
- The LPC are seeking evidence and views on various areas including the impact on the gap between the 16-17-year-old rate and the 18-20-year-old rate.

You can get advice 24/7 365 days/year from our HR Advisory Team. You can also ask Croner [BrAIinbox](#) [Do apprentices get the national minimum wage?](#)

Tribunal case backlog reaches record high

HR

The backlog of cases waiting to be heard by the employment tribunal has reached a record high causing uncertainty and ongoing disruption for businesses. According to data from HM Courts and Tribunals Service, there were 49,800 cases waiting to be heard by the employment tribunal at the end of the final quarter of last year, compared to 39,000 in the same period in 2023. The current backlog is expected to increase further after the Employment Rights Bill becomes law. The Government's reforms set out in the Bill include making the right to claim unfair dismissal a day one right and giving employees more time to bring employment tribunal claims.

Did you know?

Our Croner Face2Face Team can carry out mediation services to resolve disputes before a tribunal claim is issued.

Employer caused hand-arm vibration syndrome

H&S

Stonewater Limited, a social housing provider, was fined £140,000 after failing to protect two estate assistants from excessive hand tool vibration exposure between 2018 and 2023. The workers regularly used vibrating tools for grounds maintenance, leading to one employee, Christopher Smith, developing hand-arm vibration syndrome (HAVS), a painful, disabling condition affecting hands and arms. Smith described losing fine motor skills and struggling with daily tasks. An HSE investigation found Stonewater failed to assess vibration risks, monitor exposure, implement control measures, provide adequate training or establish health surveillance.

Did you know?

Croner offers a 24/7 H&S advice line, where our accredited H&S advisers can support with H&S concerns.

Failure to make reasonable adjustments

HR

The claimant, who was autistic, found the 'highly stimulating environment' he worked in caused him a "sensory overload". He also found it difficult to greet customers. During a restructure, the respondent offered the claimant alternative roles, but these were still public facing. The tribunal found that although the type and volume of noise was central to the operations of the business, the respondent failed to comply with their duties to make reasonable adjustments. It upheld the claim for disability discrimination stating the respondent should have found the claimant a role with minimal or no public-facing duties. (Mr C Saunders v Peloton Interactive UK Ltd).

Did you know?

Our Legal Services Team can represent your business in Employment Tribunal claims.

How to protect your workplace from stress

H&S

Employers have a legal duty under the Health and Safety at Work etc. Act 1974 to manage workplace risks, including stress. Employers should identify stressors including excessive workloads, lack of control, poor communication, job insecurity, and workplace bullying. Use surveys, team meetings, and one-to-one check-ins to uncover difficult areas. Once identified, take practical steps, such as realistic workloads, effective communication and encouraging breaks, to mitigate stressors. Train managers to spot signs of stress and respond empathetically. Include mental health in your workplace conversation and support well-being by offering employee assistance programmes (EAPs), access to counselling and normalising discussions about mental health.

Did you know?

Stress must be considered in your risk assessments. Monitor control measures and adjust accordingly.

Please contact the 24 hour advice service for advice on your specific situation before acting on the information in this publication.