



Changing Times News

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The Changing Times E-bulletin is the TUC's online news service on work-life balance issues. It is written by the [Centre for Economic & Social Inclusion](#) and edited by the TUC. Comments should be sent to [Nicola Smith](#). If you have stories that you would like us to include in this bulletin please email [Nicola](#) directly. To subscribe or unsubscribe from this bulletin please visit the [TUC website](#).

We would like to thank Rory O'Neill of Hazards magazine for all of his previous work on the Changing Times newsletter, and to wish him the very best for the future.

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Legislation and regulation

New flexible working rights for parents come into force

New [workplace rights](#) came into force on 6 April. The [new measures](#) include the extension of flexible working rights to give parents with children up to the age of 16 the right to request flexible working. Other measures which came into force are automatic penalties to employers who underpay on the National Minimum Wage and simpler dispute resolutions to help employers and employees deal with workplace disputes. Also, on 1 April 2009 an extension in annual leave rights from 24 days to 28 days for all full-time employees took effect (with pro-rata increases for part-time workers).

[Commenting](#) on the new legislation TUC General Secretary Brendan Barber said: “This is extremely welcome news... Companies whose workers enjoy the benefits of flexible working are likely to feel less stressed and less anxious about balancing their lives at home and work, which means they are more committed and productive while at work.”

Unions have also welcomed the new rights. John Hannett, General Secretary of Usdaw, the shopworkers’ union [said](#): “The extension of flexible working will benefit millions of retail workers across the country.”

The GMB have recognised the success of the legislation to date, highlighting that 95% of all requests for flexible working from working parents and carers are now accepted. Welcoming the new rights, Kamaljeet Jandu, GMB National

Equality and Inclusion Officer [said](#): “This is about balancing work and family life. Both workers and employers have felt the benefits of flexible working since the right to request was introduced in 2003, as employers recognise the benefits more and more. Firms can still say no if they have legitimate business concerns. Parenting doesn't end as children get older. Extending the right to request will help more parents get the flexibility they need.”

Alan Ritchie, General Secretary of construction union UCATT, recognised the particular impacts the new rights would have in the construction industry. He [said](#): “The extra holiday that construction workers are now entitled to is a major step forward. Construction is an industry where many bosses have to be dragged kicking and screaming into the 21st Century. If they thought they could get away with it many companies would pay their workers no benefits whatsoever.”

UK keeps EU working week opt-out

The UK’s opt-out from the European Working Time Directive, which enables UK employees to work more than 48 hours a week, [will remain in place](#) despite opposition from the European Parliament.

The UK argued for retaining the opt-out, contending that workers should be able to choose the number of hours they worked and that this choice in turn boosted the economy. However, a series of legal judgements against the opt-out meant the Working Time Directive still needs to be amended. It will now be up to the European Commission to decide whether to put forward new legislative proposals.

[Responding](#) to the fact that the UK opt-out of the Working Time Directive remains in place, TUC General Secretary Brendan Barber said: “We are disappointed that another opportunity has been missed to end the UK’s dangerous long hours culture. Long hours cause stress, illness and lower productivity. And when many employers are moving to short-time working, the need for an opt-out of the 48 hour week is even more out of date. The UK Government still

needs to tighten the law on working time, otherwise the EU could take it to court in order to protect UK workers from abuse of the 48 hour week.”

The European Trade Union Confederation (ETUC) also [responded](#) to the developments, vowing that it would continue to fight for adequate minimum standards on working time in Europe. ETUC General Secretary John Monks said: “This is certainly not a victory for social Europe. We regret that it was not possible to reach an agreement that would have meant genuine social progress in Europe; for that, the individual opt-out should have clearly been put on hold and be recognised as a temporary exception that does not have its place in health and safety legislation. Also, the situation of the millions of European workers with on-call duties in sectors such as healthcare should have been properly safeguarded.”

The [CBI](#) welcomed the retention of the opt-out. John Cridland, CBI Deputy Director-General, said: “It [the opt-out] allows people to make their own decision about the hours they work. Keeping the opt-out is a victory for common sense and is good for the UK economy”.

TUC and CBI welcome new rights for agency workers

Welcoming the launch of the Department for Business, Enterprise and Regulatory Reform’s consultation on implementing the Temporary Agency Worker Directive, [TUC](#) General Secretary Brendan Barber said: “This new Directive is the result of six years of committed campaigning by unions. It is good news for agency workers across the UK, who often lose out on pay, holiday pay and working time rights.

The Directive also means that temps will have improved access to training, to permanent jobs and to childcare. Agency workers are often treated unfairly at work. The new laws must provide real protection for temps, and any legal loopholes which would allow unscrupulous employers to avoid the law and to undercut reputable firms must be closed. The 12-week qualifying period for equal rights for agency

workers must also be tightly defined, so employers cannot get round the law by hiring temps on a series of short-term contracts, or moving them to different assignments in the same workplace.”

The [CBI](#) has also welcomed the launch of the consultation, and has stated its strong opposition to introducing redundancy rights for agency workers.

Use of tips to make up minimum wage levels is banned

The Government has [announced](#) that using tips to make up staff pay to minimum wage levels will be outlawed from October this year. The move came in response to union campaigning.

Derek Simpson, Unite joint general secretary [said](#): “The government are to be congratulated for doing the right thing by low-waged waiting staff and moving to close the loophole which has allowed greedy employers to use tips to pay staff the minimum wage. Hard-working waiting staff will be delighted to learn that bad employers can no-longer line their pockets with the money that customers intended to go to workers.”

Paul Kenny, GMB General Secretary [said](#): “It was totally out of order that employers should have been able to use tips to make up staff pay to the National Minimum Wage levels. Thousands of workers will welcome the fact that from October 2009 this will be outlawed. GMB members will watch closely the Tory Party manifesto as to whether they will want to reverse this policy.”

Minimum wage to rise by 1.2 per cent

The adult minimum wage will increase by seven pence to £5.80 an hour (1.2 per cent) from October 2009. The age at which the adult rate is paid will also be reduced to 21 next year. The full report of the Low Pay Commission is available to download from [their website](#).

The TUC [welcomed](#) the rise. TUC General Secretary, Brendan Barber, said: “The Low Pay Commission was right to withstand pressure from business to freeze the minimum wage. The

recession was caused by very highly paid people damaging the nation's financial system. It would not have been fair to force the low paid to suffer a freeze in wages, while the city bankers still get their bonuses. But this increase is a very slender one. The Low Pay Commission must be much more generous when the economy recovers next year.”

Equality Bill published

The [Equality Bill](#) has been published. According to the Government, the purpose of the Bill is to ensure everyone has a fair chance in life. The Bill aims to promote equality, fight discrimination in all its forms, including age discrimination, and introduce transparency in the workplace, which is key to tackling the gender pay gap.

The main elements of the Bill are:

- increasing transparency in the workplace in order to measure levels of inequality and make progress
- making Britain fairer through a single equality duty, which will require public bodies to consider the diverse needs and requirements of their workforce, and the communities they serve, when developing employment policies and when planning services
- extending positive action measures to allow employers to make their organisation or business more representative
- allowing political parties to use all-women shortlists beyond 2015
- reducing nine major pieces of legislation, and around 100 statutory instruments into a single Act, making the law more accessible and easier to understand, so that everyone can be clear on their rights and responsibilities.

Gender pay gap reporting, which will become a legal requirement in 2013 if bosses fail to join a voluntary scheme, was included in the Bill. The legislation also imposes a duty on public bodies like councils and health authorities to address social inequalities and bans age discrimination outside the workplace.

Business groups have responded [negatively to these plans](#). But Equalities Minister Harriet Harman insisted the move will help Britain's recovery from recession and build a fair future. [TUC](#) General Secretary Brendan Barber said: “We welcome the Minister's courage in defying the business lobbyists who say that equality doesn't matter in a recession by publishing this Bill... It strengthens the law and gives important new protections to disabled people and their carers, as well as extending rights for older people. The new duty to promote equality will encourage the public sector to continue to lead the way in tackling inequalities in the provision of public services. We are disappointed that the Government has fallen short of taking bolder steps to close the pay gap, particularly in the private sector where it stands at over 20 per cent. However, we welcome the Government's decision to work with the TUC, Equalities and Human Rights Commission and the CBI to work out more effective ways of identifying how best private sector companies can report on any pay gaps.”

[UNISON and the Fawcett Society](#) believe that more needs to be done if women are to achieve equal pay. UNISON director of organising and membership, Bronwyn McKenna, said: “Unless we have transparency in pay rates, women will never get true equality. We welcome the emphasis on equal pay audits, but this duty will apply to only 0.4 per cent of employers. Fawcett Society head of campaigns, Jessica Woodroffe, said: “The government's recognition that the gender pay gap must be dealt with through pay audits is welcome, but the detail in the Bill does not match the rhetoric. Companies will only be asked to publish the difference in pay between men and women, not to demonstrate how they will end any pay discrimination. Given that so little may be required from companies, it is all the more

disappointing that nothing will happen for another four years.”

The Work and Pensions committee has also [reported on the Equality Bill](#), welcoming the Government’s intentions to simplify and streamline legislation across the different equality strands into one single Bill. However, the committee believes that disability discrimination requires a different approach from other equality law. They note that rather than being based on the idea of treating people in the same way, it is actually necessary to treat people differently to accord disabled people equal opportunities.

The committee notes that aspects of the Bill do not provide carers with a right to request reasonable adjustment, which may be necessary in order to ensure their effective participation in the workplace.

The report finds that that one of the greatest obstacles to improving employment opportunities for older people is the continued existence of the statutory default retirement age in the Employment Equality (Age) Regulations 2006. The committee believes that this regulation contradicts the Government’s wider social policy and labour market objectives to raise the average retirement age, allow people to continue to work and save for their retirement, and should be removed.

Australia: Right to request flexibility

Certain employees have been given the right to request a flexible working arrangement in Australia, according to Aequus Partners' Diversity and Flexibility e-newsletter. The [Fair Work Act 2009](#), which came to force on 7 April 2009, provides some employees with the right to request flexible working, including: all national system employees (those employed by a corporation or by the Federal Government); employees who are parents of (or care for) children under school age, or children under 18 who have a disability; both permanent and casual employees (employed on a long-term basis). The employer has to respond in writing to requests within 21 days of their having been made. The response must identify whether the

request is granted or refused, and if refused the response must detail the reasons why. These reasons must demonstrate that the refusal was made on ‘reasonable business grounds’. The Fair Work Act provides that all national system employers must comply with the National Employment Standards, including the provision that an employer must provide reasons for accepting or refusing to grant a request for flexibility. The maximum penalty for non-compliance is AUS\$6,600.

Paid maternity leave scheme for working mothers welcomed by unions in Australia

[Australian unions](#) have reacted positively to the historic introduction of a universal, government-funded 18 week paid maternity leave scheme, which covers the majority of Australian women and their families and was recently announced by the Australian government. The President of the Australian Council of Trade Unions, Sharon Burrow, explained: “This is a major achievement for the thousands of women and men who have worked so hard to bring this scheme to fruition. Importantly, the scheme will cover hundreds of thousands of women in lower paid jobs with poor job security, especially in hospitality and retail where there’s been very limited access to paid maternity leave. The Rudd Government has rightly concluded that this money will go directly into spending on the necessities that go with having a new baby at a time when most families have been reduced to living on one wage. It also recognises that paid maternity leave is good for business and the economy because it will help keep skilled, experienced female staff attached to the workforce.”

FAMILIES AND CARERS

Government urged to encourage job shares and part-time working

A [review](#) of job vacancies across different Government departments, undertaken by Working Families, has revealed that 71 per cent of civil service jobs were advertised as full-time positions, which, the campaigning group argues, limits opportunities for parents who are seeking quality part-time or job-share roles. Personnel Today reports that Working Families is urging

the Civil Service to provide more part-time hours and to open up the Civil Service-wide job-share register to outside recruits.

During the review, many departments were found to have little knowledge of how job-sharing worked in practice and some of the roles advertised as full-time did not clearly state whether part-time hours would be available.

Equality Commission calls for new approach to parental leave

The [Equality and Human Rights Commission](#) has proposed fundamental changes in parental leave. Their proposals include:

Rights for fathers

- The first two weeks' paternity leave at the child's birth would be retained, but at 90 per cent pay.
- Four months of dedicated 'parental leave' could be taken after the mother's six months of maternity leave comes to an end, available until the child's fifth birthday.
- At least eight weeks of that leave would be supported at 90 per cent pay.

Rights for mothers

- The first 26 weeks would be dedicated maternity leave for mothers. The number of weeks paid at 90 per cent pay would be increased from six to 26 weeks.
- After six months, mothers would get the same 'parental leave' arrangements as fathers.

Rights for both mothers and fathers

- Four months of parental leave would be available, that either parent could take, at least eight weeks of this would be at 90 per cent of pay.

Rights for low-income parents

- Increased pay for both mothers and fathers would ensure more low-income and lone parents could afford to take leave.

New research into parents and flexible working published

['Flexible working: benefits and barriers. Perceptions of working parents'](#) explores what working parents think about flexible working and the benefits it can bring for their families. It also outlines parents' perceptions of the barriers they may face in exercising the right.

Commissioned by the Government Equalities Office, the survey shows:

- Two-thirds of working parents state it would be helpful to work flexibly as their children get older.
- Half of parents of 11-16 year olds say that they would help with homework if they could find the time.
- 53 per cent feel their job prevents them spending the amount of time they would like with their children.
- 51 per cent state that their relationship with their child would improve if they could work flexibly.

There appeared to be little awareness of the right to request flexible working, and working parents are unsure where to seek advice. The research coincides with new flexible working rights, meaning an extra 4.5 million parents of children aged 16 and under are now eligible to request flexible working from their employers.

Select Committee to hear evidence on child poverty

The Work and Pensions Committee has announced a one-off evidence session on child poverty as a 'one year on' follow-up to its report 'The best start in life? Alleviating deprivation, improving social mobility, and eradicating child poverty'.

The evidence session will take place at 9.30am

on Wednesday 17 June 2009 at the Grimond Room, Portcullis House.

Anyone wishing to submit papers to the Committee in connection with the evidence session should do so by Friday 22 May 2009. Further information is available on the [committee's website](#).

Working Families' response to the Budget 2009

[Responding to the Budget](#) 2009, the Chief Executive of Working Families, Sarah Jackson, welcomes the additional money for disabled children's trust funds and the increase in child tax credits, which she argues would be well received by many families. However, the campaigning charity disagrees with the Chancellor's suggestion that families on shorter working weeks or reduced incomes would have an automatic increase in tax credits to compensate. Sarah Jackson comments that families can only increase tax credits in supplying a new estimate of their total income for the current tax year, which can be risky. If hours subsequently increase or a parent goes back into work, she explains, the estimate may turn out to be too low, and families run the risk of overpayment.

3,000 Sure Start Children's Centres now open nationally

In early May the Government announced that [3,000 Sure Start Children's Centres](#) are now open nationally. By March 2010 there will be 3,500 centres providing access to services for all families including childcare; expert advice on healthcare; advice on parenting for mums and dads; and links to training and job opportunities.

Secretary of State for Children, Schools and Families, Ed Balls, said: "Ten years ago there were no Sure Start centres at all. Now there are 3,000 round the country, benefitting 2.4 million families. Nine out of ten parents using children's centres are happy with the services they receive. But many parents don't know about all the activities and support they can access or assume children's centres are just for parents having problems. This is something we need to

change."

Each centre provides access to the following services:

- childcare, play and early learning for babies and toddlers;
- expert advice on healthcare e.g. on breastfeeding for new mums or immunisations for babies;
- advice on parenting for mums and dads;
- brushing up on skills and learning new ones;
- links to training and job opportunities; and
- family fun and meeting friends.

Some centres also have services like mini gyms, vegetable patches, cookery facilities, fathers' groups, multi-sensory rooms, as well as visiting speech therapists and advice sessions run by midwives and health visitors.

New guidance paper released on parental leave models in the US

The Institute for Women's Policy Studies has released a new [briefing paper](#), which explores the best parental leave models for working families. The organisation, based in the US, argues that public policy efforts to strengthen the US early care and education system could benefit by placing greater emphasis on the role that working parents can play. One policy recommendation that the Institute has put forward is to expand support for employees caring for their newborns at home, which they believe would reduce pressure on the early child care market. The report's authors, Vicky Lovell, PhD, and Allison Suppan Helmuth, explain that in the US, many workers have a job-protected right to 12 weeks of parental leave, but this is unpaid and some cannot afford to do this. The briefing lists a variety of parental leave models which employers can implement.

Workplace issues

Companies move to short-time working during recession

The company Airbus has been reviewing staffing levels at its Flintshire plant, just weeks after the plane maker announced it was looking to cut 250 agency jobs there, according to a report by the [BBC](#). Airbus has reported that it needed to be 'flexible' and work patterns at Broughton and Bristol were being examined. A spokesman said: "The company is committed to retaining skills and safeguarding jobs, but this can only be achieved by working together to be more flexible and responsible and this may mean adapting established ways of working."

Following a meeting with management, Charlie Gregory, chairman of the shop stewards' committee at Broughton, said he was 'hopeful' further redundancies could be avoided. He added: "We'll be having more talks with the company about flexible working."

The TUC, with the CBI, BCC, EEF and the Work Foundation, have called for a [temporary short-time working scheme](#), where Government would partially compensate workers for lost earnings where there was an agreed reduction in working hours and pay, and a commitment to training. The organisations believe that such a scheme would be vital to keeping workers in employment and would help viable businesses survive during the global downturn.

The TUC's regular [recession report](#) series contains regular analysis of the impact the downturn is having on employment, including rates of temporary and part-time employment and levels of involuntary part-time working.

RMT to strike over working time issues

[RMT](#) conductors at three London Midland depots (Bletchley, Northampton and Watford) will strike on in late May in an escalation of a continuing dispute involving around 100 RMT members over the right to voluntary Sunday working.

RMT General Secretary Bob Crow said: "The rock solid strikes involving our members since the middle of March should have told the company everything it needs to know about our determination to see justice done on the

principle that the conductors should not be forced to work on Sundays. All our members are asking is that the company respect the long-standing right to voluntary Sunday turns. There are no shortages of volunteers so why London Midland are dragging this dispute on is beyond me. The company knows our reps are available for talks at any time, and it should concentrate on trying to find an acceptable solution."

Strike vote in battle to protect nine day fortnight

Journalists at part of Thomson Reuters have voted in favour of strike action to protect the nine-day fortnight they have enjoyed since before they were merged in to the bigger company. NUJ members voted 59 percent in favour of strike action and 83 percent in favour of industrial action short of a strike.

Jeremy Dear, NUJ General Secretary, [said](#): "There is absolutely no justification for the working conditions of these journalists to be worsened. In fact if the Thomson Reuters executives gave up a small proportion of their bonuses they could employ enough extra staff or freelancers for every journalist at the company to work a nine-day fortnight."

The value of union reps to business

A [joint statement](#) setting out the positive contribution that modern union reps can make to the workplace has been launched today by the Department for Business, Enterprise and Regulatory Reform, the TUC and the CBI. Featuring real-life examples where well-known companies have worked with union representatives to bring about changes that have been in the best interests of the employer and the workforce, the case studies show that union reps can be a major resource in the workplace. The publication 'Reps in action: How workplaces can gain from modern union representation' includes examples of unions and employers working together to resolve problems with working time.

Equality and discrimination

Flexible working statutes 'not enough' to change gender-specific working patterns

A [report](#) commissioned by the Equalities and Human Rights Commission claims that the statutory framework for flexible working is important but does not go far enough to change gender-specific working patterns. 'Flexible working policies: a comparative review' compares the UK's 'right to request, and duty to consider, flexible working' with flexible working statutes in other countries.

The report argues that in all countries, women are more likely to work flexibly than men, and they are more likely to do so because of caring responsibilities. While the 'right to request' has increased access to flexible working considerably, its potential to transform gender relations is limited by a 'soft' approach, says the report. The statutes could potentially encourage men to take greater responsibility for care work, but their approach disadvantages men instead. The report found that UK flexible working rights are less enforceable than in other countries, particularly for men, but legislation is more comprehensive by covering a wider range of working patterns than elsewhere.

The report also argues that childcare remains an important pre-requisite to encouraging women into work.

Equal pay ruling

The [Court of Appeal](#) has ruled that women who work for the same employer on a series of continuous contracts for essentially the same role can bring equal pay claims that apply to the full length of their employment.

Women were previously bound by a six-month time limit for bringing claims for periods of employment worked under previous contracts. However, the Equality and Human Rights Commission intervened in the equal pay case of Joyce Slack and others versus Cumbria County Council. They successfully argued that the six-month limit should cover periods worked under previous contracts for the same employer, when variations to the terms and conditions of

employment contracts over a period of time still imply a 'stable employment relationship'.

Both the Commission and the Court of Appeal expressed concerns, however, that the precedent would result in a massive increase in equal pay litigation.

Equality Commission consults on Equality Act guidance

The Equality and Human Rights Commission is producing guidance on the forthcoming Equality Act in 2010 and is consulting stakeholders to identify the type of guidance required. The Commission will produce at least four statutory Codes of Practice: 'the Public Service Duty', 'Employment', 'Goods Facilities' and 'Services and Education'. Its consultation is also ascertaining demand for further guidance documents and Codes of Practice. The [consultation](#) ends on 7 June 2009.

New TUC report on gender, race and class

The TUC has released a [new report](#), 'Negotiating gender, race and class: the way forward', based on the discussions and recommendations of a one-day seminar for black women trade union activists.

The seminar discussed issues that black women face in the labour market, prioritised the issues that trade unions need to raise on their behalf and created an agenda that represents and speaks on behalf of black women workers.

New Fawcett report on women and the recession

Fawcett has released a [new report](#) which calls on the Government to take urgent action to counter the impact of the recession on women. The report argues that women have entered this recession on an unequal economic footing which makes them vulnerable to its effects and sets out the following five-point plan to support women's rights and economic recovery:

- Promote women's rights and stamp out discrimination.

- Deliver a bold package to end pay discrimination.
- Promote flexible working as a solution to the downturn.
- Fast-track women into decision-making positions.
- Ensure women's skills are harnessed on the road to recovery.

The TUC's report on [Women and Recession](#), which argued that women in work would be hit harder during this recession than in recent previous downturns (but that more men would still lose their jobs than women) was published earlier this year.

The Government Equalities Office has also published [new research](#) on the concerns of women during the economic downturn. Among other conclusions the survey found that women had reduced their spending in response to the recession, that more women than men can no longer afford to save and that women have particular concerns about having to adjust childcare arrangements in response to changed financial circumstances. The report also reveals that 37 per cent of men believe that where jobs are being lost part-time workers should be made redundant first (as opposed to 20 per cent of women).

Gender pay audits carried out by only 29 per cent of organisations

A new study, reported in [Personnel Today](#), has revealed that two-thirds of organisations have not audited salary differences between women and men. The study of 147 senior HR professionals, carried out by law firm DLA Piper, finds just 29 per cent of firms have conducted gender pay audits to check they are paying both sexes equally.

Only one in 20 companies has ever reported on gender pay, but half (54 per cent) admit they are concerned that women and minorities are under-represented in their organisations.

Healthy workplaces

Civil service resists flexible working trends

[Research](#) from a public sector consultancy, published by Governetz and reported in Management Issues, has found that take-up of home working is slow, with some organisations reporting that just one per cent of staff have been given permission to work from home, despite, the report argues, the popularity of home working with employees.

Some organisations reported simply being unable to meet high demand from employees to work from home. One difficulty, argues Governetz chief executive David Werran, is the sheer size and bureaucracy of central Government, with a lack of central co-ordination around the issue. The enthusiasm is there in a lot of the smaller organisations but when you are dealing with bigger departments there is a challenge, he said.

New report released on the long work hours culture

Professor Cary Cooper, who collaborated with the TUC on 'Work Your Proper Hours Day' in February 2009, is co-editor of the recent publication from Emerald Group Publishing, ['The long work hours culture: causes, consequences and choices'](#).

The book examines the impact of long work hours on individuals, families and organisational health, through contributions from experts from six countries. Some of the issues addressed in the book include: 'workaholism', the difference between passion and addiction to work, consequences of stress and burn out from long hours working, and ways to tackle the long work hours culture.

Professor Cooper, CBE, Professor of Organisational Psychology of Health at Lancaster University, contributed to the TUC's interactive long hours clinic, which assesses whether employees are suffering from a long hours culture and offers advice on how to combat it. The long hours clinic is available at:

www.workyourproperhoursday.co.uk.

TUC calls for new upper limit for workplace temperatures

In a new report, the [TUC says](#) that, although employees are not expected to work when the temperature drops below 19°C (or 13°C if they are doing physically demanding work), there are no similar restrictions for when the workplace becomes too hot. According to the TUC, summers are predicted to get gradually hotter and drier over the coming years, and UK factories and offices will become increasingly uncomfortable and potentially hazardous places to work. Consequently, the report calls for the introduction of a new upper limit on workplace temperature. The law would force employers to act when the temperature inside reaches 24°C and staff could be sent home, and their employers prosecuted, if it rose to 30°C (or 27°C for those engaged in physically demanding work). The report, 'The case for a legally enforceable maximum temperature' is available [online](#).

Sickness absence management guide launched by NICE

The National Institute for Health and Clinical Excellence has released the [first national guidance](#) on how to manage long-term sickness absence and incapacity from work, in a bid to change how NHS trusts manage absence. The guidance includes mandatory requirements for NHS trusts and recommends that employers should:

- Identify someone who is suitably trained and impartial to undertake initial enquiries with an employee who is experiencing long-term sickness absence or recurring short- or long-term sickness absence.
- Ensure initial enquiries take place before 12 weeks (and ideally between two to six weeks).
- If necessary, arrange for a more detailed assessment by relevant specialists,

perhaps co-ordinated by suitably trained case workers.

- Agree, if necessary, a return-to-work plan.