

The background of the page is a solid orange color. Overlaid on this background is an abstract pattern of white-outlined rectangles of various sizes and orientations. Some rectangles are horizontal, some are vertical, and some are tilted. They are scattered across the page, with a higher concentration in the left and bottom-left areas. The title 'Employment Guide 2016' is centered in the upper half of the page, written in a white, serif font.

# Employment Guide 2016

# Employment Guide 2016

IN ASSOCIATION WITH

**HM** Harper  
Macleod LLP

First published in 2011 by Scottish Engineering  
 2nd edition 2012  
 3rd edition 2013  
 4th edition 2014  
 5th edition 2015  
 6th edition 2016

105 West George Street, Glasgow G2 1QL  
[www.scottishengineering.org.uk](http://www.scottishengineering.org.uk)

Copyright © 2016 Scottish Engineering

All rights reserved. No part of this publication may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopy, recording or any information storage or retrieval system, without permission in writing from the publisher.

Although the information in this book is correct at the time of going to press it can only be considered a guide and the publisher cannot accept any responsibility for any errors or omissions contained herein. It is strongly advised that an appropriate lawyer is consulted before embarking on any course of action. Scottish Engineering does not accept any liability for the content of this Employment Guide.

Designed by Douglas Colquhoun: [www.douglascolquhoun.co.uk](http://www.douglascolquhoun.co.uk)

Printed in the UK.

Edition 06 - 04/16

ISBN 978-0-9568367-5-5

# Contents

	Page
<b>Introduction</b>	<b>7</b>
1. Recruitment	8
2. Contracts of Employment	30
3. Pay and benefits	70
4. Managing sickness absence	100
5. Working Time Regulations	124
6. Equal opportunities	154
7. Maternity, paternity and other family rights	184
8. Trade unions	232
9. Data protection	262
10. TUPE	288
11. Disciplinary and grievance	322
12. Dismissal – fair or unfair	350
13. Redundancy	370
14. Termination of employment	410
15. Whistleblowing	438
16. Employment tribunals	456
17. Pensions	488
18. Style documents and other useful information	534

# Introduction

Welcome to the Scottish Engineering Employment Guide 2016.

As you will see from the extensive Table of Contents, we have covered the many aspects of Employment Law and updated them, where appropriate. We have incorporated a number of specimen documents which can be used for specific applications.

While the information is correct at time of going to press, it should be used primarily as a guide, and we would encourage members to call the Scottish Engineering Employee Relations Team who are available throughout the working week, prior to embarking on any course of action.

**Bryan Buchan**  
CHIEF EXECUTIVE

IN ASSOCIATION WITH

