

**CIVIL LITIGATION DEPARTMENT  
EMPLOYMENT LAW  
APRIL 2010**

**EQUALITY ACT 2010**

This Act has now been passed and all or parts of it (depending on who governs after the election) will come into effect over the coming months. Part of the Act is dedicated to reforming and harmonising equality law in that it mirrors and incorporates much of the existing anti-discrimination legislation by protecting certain characteristics. The 'protected characteristics' are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

In essence, a person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others. A person (A) also discriminates against another (B) if A applies to B a provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic of B. Victimisation related to protection under the Act and harassment related to a protected characteristic are unlawful as well.

**COMPENSATION LIMIT**

From **1st February 2010**, the maximum compensatory award for unfair dismissal dropped from £66,200 to £65,300. A week's pay (for basic award and redundancy pay purposes) remained the same at £380.

**FIT NOTES**

From **6 April 2010**, the 'sick note' became the 'fit note'. Your GP will now be able to suggest ways of easing you back to work if he or she considers that you are able to return to do some work with support, e.g. by your employer adjusting your hours or amending your duties. If, however, you are too ill to work, the doctor will say so just like they did with the old sick note. The Department for Work and Pensions has provided a useful guide on how the new 'Statement of Fitness to Work' might work in practice.

**If you require any advice or assistance about an employment matter,  
please contact Deborah Driscoll in our Civil Litigation Department.**

**Disclaimer**

The content of this article is intended for general information purposes only and is not a substitute for specific advice. It is based upon our understanding of the legal position as at April 2010 and it may be affected by subsequent changes in the law. We cannot accept responsibility for any loss as a result of acts or omissions taken in respect of this article.