



# GELBERGS' BUSINESS NEWS

6 December 2011

## Employment Law Reforms

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On 23 November 2011 the Government introduced some radical reforms. Amongst them were:

1. The introduction of fees for those bringing employment tribunal claims;
2. The requirement that all employment disputes go via ACAS before going to a tribunal; and
3. Increase in the qualification period for unfair dismissal from April 2012, so employees will now have to work two years rather than one. Check out our [blog](#) for more details.

The Chancellor says that the government is "committed to fair rights for employees" but that businesses should not be "sued out of existence".

It is difficult to predict the effects of such changes and whether they really will prevent more claims in the Tribunal. Businesses should seek advice in updating their policies and when dismissing employees, even in the first two years of their employment.

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*Gelbergs is hosting  
free Q&A sessions for  
local businesses at its  
offices*

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## Gelbergs' Question & Answer Sessions

Gelbergs has teamed up with the Islington Chamber of Commerce to provide businesses free Q&A sessions at our offices. Places are limited so be sure to sign up for our first event which is being held on **Tuesday 17 January 2012** and is entitled:

"How do I protect my business and save money? Part 1 – Handling Sticky Staff Situations"

Here you will be able to ask questions and share problems, concerns and experiences in a small group setting, network with other local businesses and get free practical legal advice from qualified employment law solicitors. Click [here](#) to reserve your place.



## The Latest News

twitter




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*"Almost 50% of youths aged 18-24 will not work for companies where social media sites are banned."*

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### Social Media

Youth unemployment has risen to 1 million, yet almost 50% of those aged 18-24 will not work for companies where social media sites are banned.

Social media is becoming more and more prevalent as a highly useful marketing tool for businesses, but it is very much a grey area concerning how it should be regulated in relation to employees. There have been some very recent [rulings](#) on this.

Read our [article](#) on social media and how to go some way to protecting your business.

### Businesses

There will be tax relief for small businesses and additional money for children in childcare. This is to aid women coming back to work after maternity leave, although as it is only 15 hours per week, it is unclear whether this will be enough. To read the Chancellor's Autumn Statement click [here](#)

## Top Tips - Cohabitation




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*Although the couple had bought the house in their joint names, the judge ruled that Mr Kernott was only entitled to a 10% share*

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Couples in the throes of romance often do not think about what might happen if they split up. But if two unmarried people buy a house together and they do not let their solicitor know their intentions as to their share, the courts will have no option but to decide the outcome for them!

If you and your partner buy a house together in your joint names, it is automatically presumed that you want to share it equally if you split up and sell it. But sometimes intentions change.

In the case of Jones v Kernott a couple bought a house in their joint names and paid equal mortgage instalments, however they did not make any kind of declaration as to how they shared the property. In 1993 the relationship deteriorated and Mr Kernott moved out and stopped making any contributions to the home. In 2008 the house was valued at £245,000. Mr Kernott tried to claim that he had a half share but in fact the judge ruled that he only had a 10% one.

To avoid this situation, couples must discuss how they want their property to be shared and this must be made official via a Declaration of Trust. Don't forget to review this as circumstances may change!