

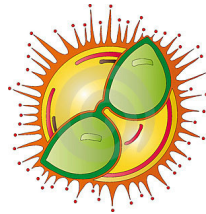


easypay services plc
newsletter

easypay services plc. newsletter - April 2009

SUNSHINE AT LAST!

Well! We're into the British Summertime now and with a fantastic Easter Weekend over with things are certainly brightening up with signs that the global economy maybe stabilising.



EASYPAY UPDATE.....

Office Move:

Our accounts team have recently moved their office to join the rest of the team (downstairs for those of you who have visited our offices). After the trauma of our shuffle around we are all now settled at our new desks. We would like to thank you all for your patience during this move and apologise if it has caused any inconvenience.

Staff Changes: Leavers

DAVID LLOYD.... our former Purchase Ledger Clerk retired this month. We would like to take this opportunity to say a big thank you for all the hard work and dedication he has contributed to the company over the 2 years he has been with us. I'm sure you'll all join us in wishing David a long and happy retirement.

For those of you who are not already aware Louise Chyriwsky has now taken over the Purchase Ledger, moving forward please ensure any correspondence with regards to your account is directed to Louise. Please see her contact information below;

Tel: 01943 882 039

Fax: 01943 882 121

E-mail: louise@easypayservices.co.uk

LESLEY WILSON.... We would also like to wish a fond farewell to Lesley Wilson, Lesley has been a member of our accounts department since August last year and although she has not been with the company long she has made a big impression on all of us here at Easypay. She was a pleasure to work with and we wish her all the best for the future.

Staff Changes: New Starters

STEPHEN BRIGGS.... Who worked for Easypay a couple of years ago will be returning to the company. Stephen will

In This Issue:

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RECOMMEND US



be taking over the role of management account and therefore overseeing the accounts for all of you who make use of our accountancy service. We would like to wish Stephen a warm welcome.

Employee Performance Recommendations:

It's that time again for employee of the Tri-Annual here at Easypay. To commend one of Easypay's employees for their hard work we would appreciate any nominations and comments from you to assist us in this reward process.

Please remember that Easypay offers cash kickbacks for new business referrals! If you know a company who may benefit from our services, please let us know. For more information on our referral scheme, e-mail us now, info@easypayservices.co.uk

Welcome

We would like to welcome on board three new clients to Easypay.....

**Riley's Recruitment Specialist
Smart Recruitment
James McErean Outsourcing & Selection**

We look forward to working with you all and wish you every success in the future!



The Easyway to do business.....

8 REASONS WHY WE'RE MILES AHEAD OF THE COMPETITION

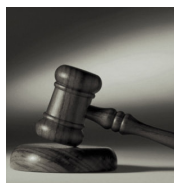
- Access to the REC's legal helpline as and when required
- All recruitment stationary templates supplied and updated
- Regular news update on changing recruitment legislation
- Funding offered on companies who are zero credit rated if 7 days payment terms are agreed
- Easypay discretionary limits offer to assist in the release of some funds
- Early margin payments if requested
- Dedicated members of staff looking after our credit insurance to ensure we work hard to obtain credit limits to allow you to trade
- Recruitment advice and assistance about front office issues from experienced recruitment people.

RECRUITMENT TRAINING

Amanda will shortly be hosting a recruitment training course. The course will cover all aspects of recruitment and will concentrate on giving new recruiters a fundamental understanding of many important areas of the recruitment process and the legal aspect of recruitment. The course is anticipated to last 2 days. The course content is as follows:

- Introduction to Recruitment
- COTB's
- Taking on a client booking
- Job Descriptions
- Calculating Charge Rates
- Gross Margin Reports - What do they mean? How to check for mistakes
- Tax status - PAYE, CIS and paying via limited companies
- Tracking Availability
- Starting and setting up a Temporary Worker on a job. The pitfalls
- General Administration - controlling the paperwork and where your workers are working
- Running a recruitment business, key reports, controlling debtors and cash flow.
- Wage Queries
- Control of weekly figures
- Employment Laws and Recruitment Laws
- Sales Training

The course is planned to be run at Victoria House, Guiseley. The course will cost £50 per day per person. If this course may be of interest to you or you think it would be beneficial to some of your consultants, please can you let Amanda Hobson know so that arrangements can be made.



THE LAW ON HOLIDAY FOR WORKERS ON LONG TERM SICKNESS

Stringer and others v HMRC - European Court of justice rules on holiday for workers on long term sickness absence

Over a number of years, one issue has dodged employers (and courts alike) with regard to workers on long term sickness absence: do they accrue statutory holiday under the Working Time Regulations when off sick? Can they take that holiday while they are off sick? If not, do they end up losing the holiday?

In 2005, the Court of Appeal ruled in the case of Ainsworth and others v Inland Revenue Commissioners that a worker who is on sickness absence for more than one year did not accrue statutory leave in the year that he did not work. At the time this resulted in the position where a worker who did not work for any part of the employer's holiday year would lose his holiday entitlement - The worker would not have the right to take the leave whilst sick, nor roll it over to the next holiday year. Also a worker, who's employment was terminated in a year in which he had not worked, would not be entitled to receive any payment for the leave on termination.

By contrast, a worker who worked at least part of the holiday year would accrue leave for the whole year and if well enough to return to work before the end of the leave year, he would be able to take the leave. If his employment terminated before the end of the holiday year, he would be entitled to payment for any leave accrued but not taken.

The workers in the Ainsworth case did not leave the matter there. They appealed to the House of Lords which in turn referred the matter to the European court of justice in 2006 to ask the following questions: (a) can a worker take paid leave whilst off sick and (b) if an employee is absent for an entire holiday year, should he be paid an allowance in lieu of the leave that has not been taken.

By this time the case name had changed from Ainsworth to Stringer and others v HMRC and it seems that in addition to the new case name, a new line of thinking has also resulted. In January this year the ECJ finally gave its decision on these questions:

It has maintained that a worker cannot take paid statutory leave whilst off sick, but if absent for the entire leave year the worker must not lose the holiday entitlement. Instead he is entitled to be compensated for this by the employer. This may be by way of a payment in lieu of the holiday entitlement by the employer. It is hard to see how providing workers with such a payment furthers initial objective of Working Time Regulations, the purpose of which was to

FREQUENTLY ASKED QUESTIONS:



Easypay are able to offer our clients help and advice on a variety of matters and we ourselves obtain advice from the REC on more technical and legal questions if we are unsure. This section of the newsletter will bring you some of the questions our clients have asked us each month along with the answers that may be issues your business is currently facing, or be useful information to store away.

Q. Do Agricultural Workers require a specific contract or are the general Terms of Engagement for temporary workers sufficient?

A. Our normal Terms of Engagement would apply where you supply workers to a client to perform duties as regulated by the GLA.

1. **All workers regardless of industry or status would accrue 28 days holiday and no change to our contract is needed to incorporate the GLA.**
2. **All workers regardless of industry or status would qualify for SSP if they meet the relevant requirements and no specific change to our contract is needed.**
3. **With regard to the Agricultural Minimum Wage, it only applies to EMPLOYEES and not WORKERS (i.e. Temps) and therefore no need to change our model terms (Contract for Services).**

Q. What is the new calculation of holiday pay in terms of percentage of cost as opposed to 10.1% prior to April?

give workers time away from work for health and safety reasons. The ECJ has now referred this issue back to the House of Lords which will be left with the difficult task of coming up with guidance on how exactly this should be implemented. This is a task which is made particularly difficult as the WTR themselves don't provide for such payments in lieu to be made to a worker.

We will have to wait to see what guidance the House of Lords provide.

A. The previous statutory minimum holiday entitlement was 24 days or 10.17% if you apply percentage to calculate the holiday. The increased statutory minimum entitlement has risen to 28 days (12.07%) from 1st April.

LEGAL UPDATE

• **Extension of flexible working rights**

From the 6th April 2009 the flexible working rights was extended to parents with children up to the age of 16. Previously the right was only enjoyed by employees with children up to the age of 6 (18 where the child has a disability) and employees who are carers of certain dependants over the age of 18. The flexible working rights are the same - namely to request changes to the hours or place of work to allow the employees to care for the child/dependant in question. These additional rights, as before, only apply to employees and not workers engaged under a contract for services.

• **New statutory payment rates from April 2009:**

	April 2008	April 2009
Statutory Sick Pay	Weekly rate: £75.40	Weekly rate on or after 6 April 2009: £79.15
Statutory Maternity Pay	Weekly rate: £117.18	Weekly rate on or after 6 April 2009: £123.06
Statutory Paternity Pay	Weekly rate: £117.18	Weekly rate on or after 6 April 2009: £123.06
Statutory Adoption Pay	Weekly rate: £117.18	Weekly rate on or after 6 April 2009: £123.06
Statutory Maternity Allowance	Weekly rate: £117.18	Weekly rate on or after 6 April 2009: £123.06
Lower earnings Limit for NI Contributions	Weekly rate: £90.00	Weekly rate on or after 6 April 2009: £95.00

REC RESPONDS TO LATEST UNEMPLOYMENT FIGURES

The REC has responded to the latest unemployment figures which show that the number of people out of work rose to 2.1 million but that the number of people claiming jobless benefits rose a smaller than expected 73,700 last month.

Although recruitment consultancies continued to register falling volumes of permanent and temporary appointments in March, the rates of decline eased to the weakest in six and five months respectively.

The REC wrote to the Chancellor ahead of the Budget, outlining five steps to boost the jobs market and to support the recruitment industry. These five steps focus on:

1. Helping job creation through the tax regime and maintaining the Business Payment Support Service
2. Avoiding cost and bureaucracy through more employment regulation and procurement policy
3. Actively promoting flexible work options as a way back into the jobs market
4. Ensuring that jobseekers get the right support by harnessing the contribution of the private sector
5. Addressing other major business issues like bad debt, late payment and lack of financing which prevent job creation.

THANK YOU FOR TAKING THE TIME OUT TO READ THE APRIL EDITION OF THE EASYPAY NEWSLETTER!

If you have any particular areas of interest to share or wish us to answer some of your questions in our next newsletter please let us know by calling Louise Chyriwsky on 01943 882 039. Alternatively please drop us an e-mail at info@easypayservices.co.uk Your suggestions will be greatly appreciated.

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