Bonus scheme found to be discriminatory against disabled employees

[et_pb_section admin_label="Section" global_module="136″ fullwidth="on" specialty="off" transparent_background="off" background_color="#ffffff" allow_player_pause="off" inner_shadow="off" parallax="off" parallax_method="off" padding_mobile="off" make_fullwidth="off" use_custom_width="off" width_unit="on" make_equal="off" use_custom_gutter="off"][et_pb_fullwidth_code global_parent="136″ admin_label="Post Header"][Page_Header_Start] Employment Law News [Page_Header_End][/et_pb_fullwidth_code][/et_pb_section][et_pb_section admin_label="section"][et_pb_row admin_label="row"][et_pb_column type="3_4″][et_pb_text admin_label="Text" background_layout="light" text_orientation="left" use_border_color="off" border_color="#ffffff" border_style="solid"]

Bonus scheme found to be discriminatory against disabled employees

[post_details]

[Social-Share]

[post_tags]

A bonus scheme which related to levels of sickness absence has been found to be discriminatory against disabled employees.

The Land Registry operated a discretionary bonus scheme under which employees lost their eligibility for bonuses if they had received a formal warning. Whilst managers had the discretion to ignore some warnings in determining bonus awards, warnings relating to sickness absence did not come within the scope of that discretion. The EAT found that the very fact of the absences led to non-payment, therefore making the measure discriminatory, with no justification.

Employers with bonus schemes should be wary of any potential discriminatory effects, particularly where eligibility is linked to levels of attendance. In order to avoid this, it is best to maintain an element of discretion, rather than applying automatic sanctions.

Land Registry v Houghton and others UKEAT/0149/14

[/et_pb_text][/et_pb_column][et_pb_column type="1_4″][et_pb_sidebar admin_label="Sidebar" orientation="right" area="sidebar-1″ background_layout="light" remove_border="off"]
[/et_pb_sidebar][/et_pb_column][/et_pb_row][/et_pb_section]