

# Significant duties set to fall on employers

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[The Worker Protection Bill \(Amendment of Equality Act 2010\)](#) continues to gather momentum, having had its second reading in the House of Lords in March 2023.

The Worker Protection Bill has Government support and will reintroduce employer liability for the harassment of employees by third parties (such as clients, customers or suppliers), but without the need for the employer to have known of previous occasions of harassment. It is a high bar for employers to meet.

There is also a new mandatory duty for employers to take all reasonable steps to prevent sexual harassment of their employees during their employment. The [Equality and Human Rights Commission](#) may enforce any breach of this duty under its existing enforcement powers and, where a claim for sexual harassment is upheld, by an Employment Tribunal.

Furthermore, where the Employment Tribunal upholds such a claim, it will have the power to order an uplift in compensation of up to 25% where it finds that the employer breached the duty to take reasonable steps to prevent sexual harassment.

To strike some balance for businesses, the Worker Protection Bill, as it stands, provides that employers will not be liable for the expression of certain opinions, in conversations or speech, by others in the workplace. However, the Bill is currently at the 'committee stage' in the House of Lords, which involves a detailed line-by-line examination of the Bill. As a result, it may still be subject to further amendments.

The Worker Protection Bill will come into effect a year after the day it obtains Royal Assent. Therefore, it makes strong sense for businesses to become familiar with the provisions of the Bill and take proactive steps now to prepare for it.

Companies must implement robust policies and collate evidence of any actions to prevent harassment, such as regular training events to raise staff awareness.

**Call employment lawyer [Karen Cole](#) to health check your company and advise you what to do.**

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