

Further written evidence from Employment Lawyers Association [MEW0092]

[MEW0042](#)

The below sets out ELA's response to the request to comment on the Government's letter dated 25 May 2022 regarding the introduction of dual discrimination provisions, in the context of the Committee's call for evidence into the Menopause at work.

Having considered paragraph 3 of the letter of 25 May 2022, it is not clear to us what regulatory complexity is referred to or what increased costs could result from enacting Section 14. As it currently stands, discrimination based on one of the protected characteristics is already prohibited. Section 14, if enacted, simply provides a claimant with another avenue to enforce their rights where they believe they have suffered less favourable treatment because of two combined protected characteristics, for example because they are an older woman. As less favourable treatment because of a single protected characteristic is already prohibited under Section 13, it is not clear how a prohibition on less favourable treatment because of two protected characteristics places onerous obligations on employers in terms of cost and regulation. Limited and/or minor changes to equality and diversity policies and training may be necessary should Section 14 be enacted, and guidance, for example from the Equality and Human Rights Commission would be helpful, but certainly we do not envisage that this would create regulatory complexity or increased costs for employers. Should further information be available on what is envisaged or expected in terms of costs and regulatory complexity, we would be happy to consider this further.

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