

# Deal or no deal?

## How different Brexit deals could affect employment and immigration

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> The pace of Brexit-driven change is breathtaking. With the UK government currently waiting for a response from the EU regarding their Chequers Agreement proposals, we can't pretend to offer certainty on the outcome of the negotiations. What we can do, however, is share our current thinking on the implications of the various types of deal from an employment and immigration law perspective.

### Employment law

#### Deal



- no plans to change UK employment law  
- EU Withdrawal Act seeks to maintain current statute book where not already under UK law
- direct pipeline of EU law into UK law would be broken, but the suggestion is that UK will seek to keep pace with at least some future EU employment law through separate arrangements
- don't expect significant employer friendly liberalization of UK employment law any time soon.

#### No deal



- as above, except UK will have more freedom to implement whichever employment laws it chooses.

### Immigration law

#### Deal



- free movement of workers ends 1/1/2021. If you have a high % of EU workers this needs thought and strategy – contingency and communications
- the recommendation to Government is that Tier 2 should be adapted to fill the void of free movement by abolishing the Tier 2 cap, reducing the skill level and revisiting the need to test the resident labour market
- for low skilled workers the Youth Mobility Scheme and some family migration could be extended if more workers are needed in preference to a sector based approach.

#### No deal



- as above, except free movement of workers could end as soon as 29/3/2019
- the most practically likely outcome is that EU citizens in the UK (or arriving pre March 2019) will be able to stay and work in the UK post Brexit
- the situation for UK citizens in Europe is less certain
- the recommendation to Government is that there should be no preference for EU citizens in the new immigration system unless that's otherwise agreed in the Brexit negotiations.

### Questions

The uncertainty surrounding the outcome of the negotiations leaves many questions unanswered. How would EU/UK future negotiations on non-regression actually work? What would it mean for EU/UK citizens who wanted to settle post-2019? Are you considering relocating yourself? If you are concerned about the impact of Brexit on your organisation, we might be able to help.

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