



Employment Act 1988

CHAPTER 19

EMPLOYMENT ACT 1988

PART I

TRADE UNIONS

Rights of trade union members

- 1 Right to a ballot before industrial action.
- 2 Right not to be denied access to the courts etc.
- 3 Right not to be unjustifiably disciplined.
- 4 Complaint of infringement of right under section 3.
- 5 Further remedies for infringement of right under section 3.
- 6 Right to inspect union's accounting records.
- 7 Right to require employer to stop deductions of union subscriptions.

Use of trade union funds

- 8 Use of funds for indemnifying unlawful conduct.
- 9 Remedy against trustees for unlawful use of property.

The closed shop etc.

- 10 Industrial action to enforce membership.
- 11 Action by an employer to enforce membership.

Provisions as to ballots and elections

- 12 Extension to non-voting positions of duty to hold elections.
- 13 Election addresses.
- 14 Requirement of postal ballot for certain ballots and elections.
- 15 Independent scrutiny of certain ballots and elections.

Changes to legislation: Employment Act 1988 is up to date with all changes known to be in force on or before 01 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 16 Remedy with respect to ballot on use of funds for political purposes.
- 17 Ballots on industrial action affecting different places of work.
- 18 Codes of practice as to ballots and elections.

The Commissioner for the Rights of Trade Union Members

- 19 Appointment etc. of the Commissioner.
- 20 Assistance by the Commissioner.
- 21 Provisions supplemental to section 20.

Procedure before the Certification Officer

- 22 Procedure before the Certification Officer.

Interlocutory and interim orders

- 23 Interlocutory and interim orders.

PART II

EMPLOYMENT AND TRAINING

- 24
- 25 Functions of the Secretary of State and of the Commission.
- 26 Status of trainees etc.
- 27 Amendment of the Social Security Act 1975 with respect to the refusal of training etc.
- 28 Amendment of section 4 of the 1973 Act.
- 29 Membership of training boards.

PART III

MISCELLANEOUS AND SUPPLEMENTAL

Miscellaneous

- 30 Crown employees and contracts etc.

Supplemental

- 31 Financial provisions.
- 32 Interpretation.
- 33 Minor and consequential amendments and repeals.
- 34 Short title, commencement and extent.

SCHEDULES

SCHEDULE 1 —

Terms of appointment

- 1 (1) The appointment of a person to hold office as...

Remuneration, pensions etc.

- 2 (1) There shall be paid to the Commissioner such remuneration,...

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Staff

- 3 (1) The Commissioner may, with the approval of the Secretary...
- 4 (1) Anything authorised or required by or under this Act...
- 5 (1) Employment as a member of the staff of the...
- 6 The Employers' Liability (Compulsory Insurance) Act 1969 shall not require...

Payment of travelling expenses etc. to applicants

- 7 (1) The Commissioner may, with the approval of the Secretary...

Financial provisions

- 8 (1) The Secretary of State shall, out of money provided...
- 9 (1) It shall be the duty of the Commissioner—

Annual report

- 10 (1) As soon as reasonably practicable after the end of...

Miscellaneous

- 11 The Commissioner shall have an official seal for the authentication...
- 12 In the Parliamentary Commissioner Act 1967, in Schedule 2 (departments...
- 13 In the House of Commons Disqualification Act 1975, in Part...

Interpretation

- 14 In this Schedule “financial year” means the twelve months ending...

SCHEDULE 2 — Provisions Supplemental to Section 25

Further amendments of the 1973 Act

- 1 In section 11(3) of the 1973 Act (power of Commission...
- 2 (1) In subsection (1) of section 12 of the 1973...
- 3

Incidental and transitional provisions

- 4
- 5
- 6
- 7

Interpretation

- 8

SCHEDULE 3 — Minor and Consequential Amendments
Part I — TRADE UNIONS

The Trade Union Act 1913 (c. 30)

- 1

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The Employment Protection (Consolidation) Act 1978 (c. 44)

2

The Employment Act 1980 (c. 42)

3

The Employment Act 1982 (c. 46)

4

The Trade Union Act 1984 (c. 49)

5

The Wages Act 1986 (c. 48)

6

Part II — EMPLOYMENT AND TRAINING

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The Sex Discrimination Act 1975 (c. 65)

11 (1)

The Race Relations Act 1976 (c. 74)

12 (1)

The Agricultural Training Board Act 1982 (c. 9)

13 In section 4(1)(f) of the Agricultural Training Board Act 1982...

The Industrial Training Act 1982 (c. 10)

14 (1) In section 5(3)(e) of the Industrial Training Act 1982...

The Income and Corporation Taxes Act 1988 (c. 1)

15 In section 127(1)(a) of the Income and Corporation Taxes Act...

SCHEDULE 4 — Repeals

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Changes and effects yet to be applied to :

- s. 26(1A) words substituted by [2022 asc 1 Sch. 4 para. 4\(2\)](#)