

SCHEDULES

SCHEDULE 7

MISCELLANEOUS AMENDMENTS

Unfair selection for dismissal in redundancy cases: exclusion of qualifying conditions

- 1 In section 154 of the 1992 Act (exclusion of requirement for qualifying period of employment, etc where reason for dismissal related to trade union membership or activities)—
- (a) for the words was one of those specified in section 152(1) there shall be substituted the words “ or, in a redundancy case, for selecting the employee for dismissal, was an inadmissible reason. ”, and
 - (b) there shall be inserted after those words, as subsection (2), the following—
 - “(2) For the purposes of this section—
 - “inadmissible”, in relation to a reason, means that it is one of those specified in section 152(1); and
 - “a redundancy case” means a case where the reason or principal reason for the dismissal was that the employee was redundant but the equal application of the circumstances to non-dismissed employees required by section 153(a) is also shown.”, and the words preceding that subsection (2) shall become subsection (1).

Changes to legislation:

There are currently no known outstanding effects for the Trade Union Reform and Employment Rights Act 1993, Paragraph 1.