

*These notes refer to the Employment Relations Act 2004  
(c.24) which received Royal Assent on 16 September 2004*

# **EMPLOYMENT RELATIONS ACT 2004**

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## **EXPLANATORY NOTES**

### **COMMENTARY**

#### **Part Three: Rights of Trade Union Members, Workers and Employees**

##### **Right to be accompanied**

261. *Sections 37 and 38* make amendments to the legislation relating to the “right to be accompanied” in disciplinary and grievance hearings.
262. The 1999 Act introduced a statutory duty on employers to permit workers invited or required to attend certain disciplinary and grievance hearings to be accompanied by a companion falling within the category of people listed in subsection (3) of section 10 (a fellow worker or certain trade union officials). The “companion” is permitted to address the hearing (but not to answer questions on behalf of the worker) and confer with the worker during the hearing.