

*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**

##### **Extension of jurisdiction of Employment Appeal Tribunal**

268. **Section 38** corrects an oversight in the 1999 Act. It ensures that the Employment Appeal Tribunal has jurisdiction to hear appeals against employment tribunal decisions in relation to the right to be accompanied. This oversight received judicial confirmation in *Refreshment Systems Ltd (t/a Northern Vending Services) v. Wolstenholme* [2003] UKEAT 0608-03-2710.