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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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## SCHEDULES

### SCHEDULE 1

#### RE-ENACTED PROVISIONS OF INDUSTRIAL RELATIONS ACT 1971

#### PART IV

#### CONCILIATION OFFICERS, AND MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

##### *Period of continuous employment*

##### *[Section 151]*

- 30 (1) The provisions of Schedule 1 to the Contracts of Employment Act 1972 (computation of period of employment), and the provisions of any order for the time being in force under section 10 of that Act in so far as it modifies that Schedule, shall have effect for the purposes of this Act in determining for what period an employee has been continuously employed.
- (2) For the purposes of any proceedings under this Schedule a person's employment during any period shall, unless the contrary is shown, be presumed to have been continuous.
- (3) Regulations made by the Secretary of State may make provision—
- (a) for preserving the continuity of a person's period of employment for the purposes of Schedule 1 to the Contracts of Employment Act 1972, or for the purposes of that Schedule as applied by or under any other enactment specified in the regulations, or
  - (b) for modifying or excluding the operation of section 24 of the Redundancy Payments Act 1965 (which requires the continuity of the period of employment to be treated as broken for the purposes of that Act where a redundancy payment is paid to an employee and he is subsequently re-engaged), subject to the recovery of any sum which, in accordance with subsection (3) of that section, is treated as payment of a redundancy payment, in cases where, in consequence of action to which sub-paragraph (4) below applies, a dismissed employee is re-engaged by his employer or is engaged by a successor of that employer or by an associated employer.
- (4) This sub-paragraph applies to any action taken in relation to the dismissal of an employee which consists—
- (a) of the presentation by him of a complaint under paragraph 17 above, or
  - (b) of his making a claim in accordance with a dismissal procedures agreement designated by an order under paragraph 13 above, or
  - (c) of any action taken by a conciliation officer under paragraph 26(4) above.