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# Employment Rights Act 1996

# **CHAPTER 18**

# **EMPLOYMENT RIGHTS ACT 1996**

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- 4 Statement of changes.
- 5 Exclusion from rights to statements.
- 6 Reasonably accessible document or collective agreement.
- 7 Power to require particulars of further matters.
- 7A Use of alternative documents to give particulars
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- 9 Standing statement of fixed deductions.
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- 13 Right not to suffer unauthorised deductions.
- 14 Excepted deductions.

# Payments to employer

- 15 Right not to have to make payments to employer.
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# Cash shortages and stock deficiencies in retail employment

- 17 Introductory.
- 18 Limits on amount and time of deductions.
- 19 Wages determined by reference to shortages etc.
- 20 Limits on method and timing of payments.
- 21 Limit on amount of payments.
- 22 Final instalments of wages.

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- 23 Complaints to employment tribunals.
- 24 Determination of complaints.
- 25 Determinations: supplementary.
- 26 Complaints and other remedies.

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27 Meaning of "wages" etc.

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#### **GUARANTEE PAYMENTS**

- 28 Right to guarantee payment.
- 29 Exclusions from right to guarantee payment.
- 30 Calculation of guarantee payment.
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- 33 Power to modify provisions about guarantee payments.
- 34 Complaints to employment tribunals.
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# Protected shop workers and betting workers

- 36 Protected shop workers and betting workers.
- 37 Contractual requirements relating to Sunday work.
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### Opting-out of Sunday work

- 40 Notice of objection to Sunday working.
- 41 Opted-out shop workers and betting workers.

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- 42 Explanatory statement.
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- 43B Disclosures qualifying for protection.
- 43C Disclosure to employer or other responsible person.
- 43D Disclosure to legal adviser.
- 43E Disclosure to Minister of the Crown.
- 43F Disclosure to prescribed person.
- 43G Disclosure in other cases.
- 43H Disclosure of exceptionally serious failure.
- 43J Contractual duties of confidentiality.
- 43K Extension of meaning of "worker" etc. for Part IVA.
- 43KA Application of this Part and related provisions to police
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# Rights not to suffer detriment

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  - 45 Sunday working for shop and betting workers.
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- 46 Trustees of occupational pension schemes.
- 47 Employee representatives.
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### Enforcement

- 48 Complaints to employment tribunals.
- 49 Remedies.

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49A Application to police of section 44 and related provisions.

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#### Public duties

- 50 Right to time off for public duties.
- 51 Complaints to employment tribunals.

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# Looking for work and making arrangements for training

- 52 Right to time off to look for work or arrange training.
- Right to remuneration for time off under section 52.
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- Right to remuneration for time off under section 55.
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- 57ZA Right to time off for ante-natal care (agency workers)
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- 57ZD Agency workers: supplementary

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- 57B Complaint to employment tribunal.

# Occupational pension scheme trustees

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- Right to payment for time off under section 58.
- 60 Complaints to employment tribunals.

# Employee representatives

- Right to time off for employee representatives.
- Right to remuneration for time off under section 61.
- 63 Complaints to employment tribunals.
- 63A Right to time off for young person for study or training.
- 63B Right to remuneration for time off under section 63A.
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- 63E Section 63D application: supplementary
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- Right to remuneration on suspension on medical grounds.
- 65 Exclusions from right to remuneration.

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- 66 Meaning of suspension on maternity grounds.
- 67 Right to offer of alternative work.
- 68 Right to remuneration.

# Ending the supply of an agency worker on maternity grounds

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- 68B Right to offer of alternative work
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- 70A Complaints to employment tribunals: agency workers

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- 72 Compulsory maternity leave.
- 73 Additional maternity leave.
- 74 Redundancy and dismissal.
- 75 Sections 71 to 73: supplemental.

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- 76 Entitlement to parental leave.
- 77 Rights during and after parental leave.
- 78 Special cases.
- 79 Supplemental.

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- 87 Rights of employee in period of notice.
- 88 Employments with normal working hours.

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- Failure to permit return after childbirth treated as dismissal.
- No dismissal in cases of renewal of contract or re-engagement.
- 139 Redundancy.

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- 141 Renewal of contract or re-engagement.
- Employee anticipating expiry of employer's notice.
- 143 Strike during currency of employer's notice.
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- 153 The relevant date.
- 154 Provisions supplementing sections 148 and 152.

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194 195	House of Lords staff. House of Commons staff.
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201	Power to extend employment legislation to offshore employment.
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206 207	Institution or continuance of tribunal proceedings. Rights and liabilities accruing after death.
	Mediation in certain cross-border dispute
207A	Extension of time limits because of mediation in certain cross-bord disputes

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208 Review of limits.

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224	Employments with no normal working hours.
	The calculation date
225 226	Rights during employment. Rights on termination.
	Maximum amount of week's pay
227	Maximum amount.
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228 229	New employments and other special cases. Supplementary.

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- 237 Financial provisions.

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- 238 Reciprocal arrangements with Northern Ireland.
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- 240 Consequential amendments.
- 241 Transitionals, savings and transitory provisions.
- 242 Repeals and revocations.
- 243 Commencement.
- 244 Extent.
- 245 Short title.

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The Equal Pay Act 1970 (c.41)

1 (1) Section 1 of the Equal Pay Act 1970 is...

The Atomic Energy Authority Act 1971 (c.11)

2 (1) Section 10 of the Atomic Energy Authority Act 1971...

The Attachment of Earnings Act 1971 (c.32)

3 Paragraph 3 of Part I of Schedule 3 to the...

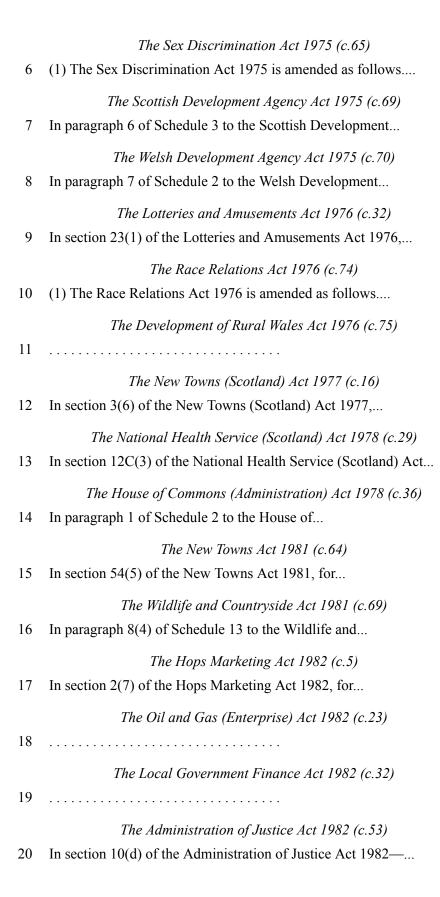
The British Library Act 1972 (c.54)

4 In paragraph 13(3)(a) of the Schedule to the British Library...

The Health and Safety at Work etc. Act 1974 (c.37)

5 In section 80(2A) of the Health and Safety at Work...

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The Health and Social Services and Social Security Adjudications Act 1983 (c.41)

21 In paragraph 23 of Part II of Schedule 3 to...

The National Audit Act 1983 (c.44)

22 In paragraph 2(3) of Schedule 2 to the National Audit...

The National Heritage Act 1983 (c.47)

23 In— (a) paragraph 5(5) of Part I of Schedule 1,...

The National Heritage (Scotland) Act 1985 (c.16)

24 In—(a) paragraph 5(5) of Part I, and

The Prosecution of Offences Act 1985 (c.23)

25 (1) The Prosecution of Offences Act 1985 is amended as...

The Local Government Act 1985 (c.51)

26 (1) The Local Government Act 1985 is amended as follows....

The Trustee Savings Banks Act 1985 (c.58)

27 In section 3(7) of the Trustee Savings Banks Act 1985,...

The Housing (Consequential Provisions) Act 1985 (c.71)

28 In paragraph 7(2)(b) of Schedule 4 to the Housing (Consequential...

The Insolvency Act 1986 (c.45)

29 In paragraph 13 of Schedule 6 to the Insolvency Act...

The Legal Aid (Scotland) Act 1986 (c.47)

30 In paragraph 10(1) of Schedule 1 to the Legal Aid...

The Debtors (Scotland) Act 1987 (c.18)

31 In section 73(3)(g) of the Debtors (Scotland) Act 1987, for...

The Pilotage Act 1987 (c.21)

32 In section 25(6) of the Pilotage Act 1987, for "Schedule...

The Housing (Scotland) Act 1987 (c.26)

33 In paragraph 10(2)(b) of Schedule 22 to the Housing (Scotland)...

The Consumer Protection Act 1987 (c.43)

34 In section 22(5) of the Consumer Protection Act 1987, for...

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

35 (1) The Income and Corporation Taxes Act 1988 is amended...

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	The Legal Aid Act 1988 (c.34)
36	In paragraph 7(1) of Schedule 7 to the Legal Aid
	The Education Reform Act 1988 (c.40)
37	(1) The Education Reform Act 1988 is amended as follows
	The Local Government Finance Act 1988 (c.41)
38	In paragraph 6(4) of Schedule 11 to the Local Government
	The Housing (Scotland) Act 1988 (c.43)
39	In paragraph 12(1) of Schedule 1 to the Housing (Scotland)
	The Health and Medicines Act 1988 (c.49)
40	In section 18 of the Health and Medicines Act 1988,
	The Housing Act 1988 (c.50)
41	
	The Dock Work Act 1989 (c.13)
42	In section 6(3) of the Dock Work Act 1989—
	The Electricity Act 1989 (c.29)
43	(1) The Electricity Act 1989 is amended as follows.
	The Local Government and Housing Act 1989 (c.42)
44	In section 10 of the Local Government and Housing Act
	The National Health Service and Community Care Act 1990 (c.19)
45	(1) The National Health Service and Community Care Act 1990
	The Enterprise and New Towns (Scotland) Act 1990 (c.35)
46	In paragraph 17(1) of Schedule 1 to the Enterprise and
	The Environmental Protection Act 1990 (c.43)
47	In paragraph 15 of Schedule 10 to the Environmental Protection
	The Natural Heritage (Scotland) Act 1991 (c.28)
48	In paragraph 4 of Schedule 4 to the Natural Heritage
	The Coal Mining Subsidence Act 1991 (c.45)
49	In section 30(7) of the Coal Mining Subsidence Act 1991—
	The Ports Act 1991 (c.52)
50	In section 24(8) of the Ports Act 1991, for the

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The Social Security Contributions and Benefits Act 1992 (c.4) 51 (1) The Social Security Contributions and Benefits Act 1992 is... The Further and Higher Education Act 1992 (c.13) 52 (1) The Further and Higher Education Act 1992 is amended... The Timeshare Act 1992 (c.35) In section 1 of the Timeshare Act 1992— 53 *The Further and Higher Education (Scotland) Act 1992 (c.37)* In section 33(3)(b) of the Further and Higher Education (Scotland)... 54 The Museums and Galleries Act 1992 (c.44) 55 In section 1(7) of the Museums and Galleries Act 1992,... The Trade Union and Labour Relations (Consolidation) Act 1992 (c.52) (1) The Trade Union and Labour Relations (Consolidation) Act 1992... *The Tribunals and Inquiries Act 1992 (c.53)* 57 In section 11(2) of the Tribunals and Inquiries Act 1992,... The Social Security Act 1993 (c.3) In section 2(4)(b) of the Social Security Act 1993, for... 58 The Education Act 1993 (c.35) 59 The Railways Act 1993 (c.43) (1) The Railways Act 1993 is amended as follows. 60 The Pension Schemes Act 1993 (c.48) 61 (1) The Pension Schemes Act 1993 is amended as follows.... The Finance Act 1994 (c.9) In paragraph 27 of Schedule 24 to the Finance Act... 62 The Local Government (Wales) Act 1994 (c.19) (1) The Local Government (Wales) Act 1994 is amended as... 63 The Coal Industry Act 1994 (c.21) In paragraph 4(11) of Schedule 5 to the Coal Industry... 64

The Criminal Justice and Public Order Act 1994 (c.33)

In section 126(2) of the Criminal Justice and Public Order...

65

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### The Local Government etc. (Scotland) Act 1994 (c.39)

66 (1) The Local Government etc. (Scotland) Act 1994 is amended...

The Jobseekers Act 1995 (c.18)

67 (1) The Jobseekers Act 1995 is amended as follows.

The Environment Act 1995 (c.25)

68 In paragraph 3 of Schedule 2 to the Environment Act...

The Disability Discrimination Act 1995 (c.50)

69 (1) The Disability Discrimination Act 1995 is amended as follows....

SCHEDULE 2 — Transitional provisions, savings and transitory provisions Part I — TRANSITIONAL PROVISIONS AND SAVINGS

# General transitionals and savings

- 1 The substitution of this Act for the provisions repealed or...
- 2 (1) Anything done, or having effect as done, (including the...
- 3 Any reference (express or implied) in this Act or any...
- 4 (1) Any reference (express or implied) in any enactment, or...
- 5 Paragraphs 1 to 4 have effect in place of section...

# Preservation of old transitionals and savings

6 (1) The repeal by this Act of an enactment previously...

#### Employment particulars

7 (1) In this paragraph "pre-TURERA employee" means an employee whose...

# Monetary limits in old cases

8 In relation to any case in which (but for this...

Shop workers and betting workers to whom old maternity provisions applied

9 (1) This paragraph applies where an employee exercised a right...

Validity of provisions deriving from certain regulations

10 Any question as to the validity of any of sections...

### Unfair dismissal

11 Part X does not apply to a dismissal from employment...

# Redundancy payments

12 (1) Section 135 does not apply to an employee who...

# Periods of employment

13 (1) The reference in section 215(2)(b) to a person being...

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14	(1) Subject to paragraph 13 and sub-paragraphs (2) and (3) Part II — TRANSITORY PROVISIONS
	Occupational pension scheme trustees
15	(1) If sections 42 to 46 of the Pensions Act
	Armed forces
	<ul><li>(1) If section 31 of the Trade Union Reform and</li><li>(1) If Part XI of the Reserve Forces Act 1996</li></ul>
	Disability discrimination
18	
S	CHEDULE 3 — Repeals and revocations Part I — REPEALS

# TABLE OF DERIVATIONS

- 1 Notes:
- 2 The following abbreviations are used in the Table—BGLA =...

Part II — REVOCATIONS

### **Status:**

Point in time view as at 01/02/2000.

# **Changes to legislation:**

Employment Rights Act 1996 is up to date with all changes known to be in force on or before 05 June 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.