

## **EXPLANATORY NOTES**

### **EMPLOYMENT ACT 2008**

#### **INTRODUCTION**

#### **SUMMARY**

#### **BACKGROUND**

#### **TERRITORIAL EXTENT**

**Scotland**

**Wales**

**Northern Ireland**

#### **COMMENTARY ON SECTIONS**

##### **Dispute resolution**

Section 1: Statutory dispute resolution procedures

Section 2: Procedural fairness

Section 3: Non-compliance with statutory Codes of Practice

Section 4: Determination of proceedings without hearing

Section 5: Conciliation before bringing of proceedings

Section 6: Conciliation after bringing of proceedings

Section 7: Compensation for financial loss

##### **Unlawful deduction from or unauthorised payment of wages**

##### **Non-payment of redundancy payments**

##### **National Minimum Wage**

Section 8: Arrears payable in cases of non-compliance

Section 9: Notices of underpayment

**Notices of underpayment: arrears**

**Notices of underpayment: financial penalty**

**Suspension of financial penalty**

**Notices of underpayment: appeals**

**Non-compliance with notice of underpayment: recovery of arrears**

**Non-compliance with notice of underpayment: recovery of penalty**

**Withdrawal of notice of underpayment**

**Replacement of notice of underpayment**

**Effect of replacement notice of underpayment**

Section 10: Powers of officers to take copies of records

Section 11: Offences: mode of trial and penalties

Section 12: Powers to investigate criminal offences

Section 13: Cadet Force Adult Volunteers

Section 14: Voluntary workers

**Employment agencies**

Section 15: Offences: mode of trial and penalties

Section 16: Enforcement powers

Section 17: Offences by partnerships in Scotland

**Miscellaneous**

Section 18: Employment agencies and national minimum wage legislation: information-sharing

Section 19: Exclusion or expulsion from trade union for membership of political party

**General**

Section 20: Repeals

Section 22: Commencement

**HANSARD REFERENCES**