



# Education and Skills Act 2008

## 2008 CHAPTER 25

### PART 1

#### DUTY TO PARTICIPATE IN EDUCATION OR TRAINING: ENGLAND

### CHAPTER 3

#### EMPLOYERS

#### *Supplementary*

### **39 Other amendments of Employment Rights Act 1996**

- (1) The Employment Rights Act 1996 is further amended as follows.
- (2) In section 63A (right to time off for young person for study or training), after subsection (5) insert—

“(5A) References in this section to an employee do not include a person to whom Part 1 of the Education and Skills Act 2008 (duty to participate in education or training for 16 and 17 year olds in England) applies, or is treated by section 29 of that Act (extension for person reaching 18) as applying.”;

and, in the title, after “young person” insert “in Wales or Scotland”.
- (3) In section 105 (redundancy), after subsection (4A) insert—

“(4B) This subsection applies if the reason (or, if more than one, the principal reason) for which the employee was selected for dismissal was that specified in section 101B.”
- (4) In section 108 (qualifying period of employment), after subsection (3)(dd) insert—

“(de) section 101B applies.”.
- (5) In section 194 (House of Lords staff), in subsection (2)(c), after “47,” insert “47AA.”.

**Status:** *This is the original version (as it was originally enacted).*

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- (6) In section 195 (House of Commons staff), in subsection (2)(c), after “47,” insert “47AA,”.