

*Changes to legislation: There are currently no known outstanding effects  
for the Enterprise Act 2016, Paragraph 9. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 5 U.K.

#### SUNDAY WORKING

##### *Employment Rights Act 1996*

9 After section 101 insert—

##### **“101ZA Shop workers who refuse to work additional hours on Sunday**

- (1) Subsection (2) applies where a shop worker has given an objection notice that has not been withdrawn and he or she is dismissed.
- (2) The shop worker is to be regarded for the purposes of this Part as unfairly dismissed if the reason (or the principal reason) for the dismissal is that he or she refused, or proposed to refuse, to do shop work for additional hours on Sunday or on a particular Sunday.
- (3) Subsection (2) does not apply where the reason (or principal reason) for the dismissal is that the shop worker refused (or proposed to refuse) to do shop work for additional hours on any Sunday or Sundays falling before the end of the relevant period.
- (4) A shop worker who is dismissed is to be regarded for the purposes of this Part as unfairly dismissed if the reason (or principal reason) for the dismissal is that the worker gave (or proposed to give) an objection notice to the employer.
- (5) In this section—
  - “additional hours” and “objection notice” have the meanings given by section 41A(2);
  - “relevant period” means the period determined by section 43ZA(2) (but subject to section 41D(3)).”

##### **Commencement Information**

**II** [Sch. 5](#) in force at Royal Assent for specified purposes, see [s. 44\(1\)\(d\)](#)

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