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SCHEDULE

ACAS ARBITRATION SCHEME

XVII.

AUTOMATIC UNFAIRNESS

95. In deciding whether the dismissal was fair or unfair, subject to paragraph 12 above (Arbitrator's Terms of Reference), the arbitrator shall have regard to

- (i) any provision of Part X of the Employment Rights Act 1996 (as amended from time to time) requiring a dismissal for a particular reason to be regarded as unfair, or
- (ii) any other legislative provision requiring a dismissal for a particular reason to be regarded as unfair for the purpose of Part X of the Employment Rights Act 1996.