
STATUTORY INSTRUMENTS

2010 No. 155

**The Employee Study and Training
(Procedural Requirements) Regulations 2010**

Right to be accompanied

- 16.**—(1) This regulation applies where—
- (a) a meeting is held under regulation 4(1) or 10(1); and
 - (b) the employee reasonably requests to be accompanied at the meeting.
- (2) Where this regulation applies, the employer must permit the employee to be accompanied at the meeting by a single companion who—
- (a) is chosen by the employee to attend the relevant meeting; and
 - (b) is a worker employed by the same employer as the employee.
- (3) A companion may—
- (a) address the meeting;
 - (b) confer with the employee during the meeting.
- (4) When addressing a meeting, a companion may not answer questions independently of the employee.
- (5) If—
- (a) an employee has a right under this regulation to be accompanied at a meeting;
 - (b) his chosen companion will not be available at the time proposed for the meeting by the employer; and
 - (c) the employee proposes an alternative time which satisfies paragraph (6),
- the employer must postpone the meeting to the time proposed by the employee.
- (6) An alternative time must—
- (a) be convenient for employer, employee and companion; and
 - (b) fall before the end of the period of seven days beginning with the first day after the day proposed by the employer.
- (7) An employer shall permit a worker to take time off during working hours for the purpose of accompanying an employee in accordance with a request under paragraph (1)(b).
- (8) Sections 168(3) and (4), 169 and 171 to 173 of the Trade Union and Labour Relations (Consolidation) Act 1992(1) (time off for carrying out trade union duties) apply in relation to paragraph (7) above as they apply in relation to section 168(1) of that Act.

(1) 1992 c.52. Sections 168(4), 169, 171 and 173 were amended by the Employment Rights (Dispute Resolution) Act 1998 (c.8), section 1(2)(a). Section 169 was amended by the Employment Act 2002 (c.22) section 43(1) and (3). Section 171 was amended by the Employment Act 2002 (c.22), Schedule 7, paragraphs 18 and 19. Section 172 was amended by the Employment Act 2002 (c.22) Schedule 7, paragraphs 18 and 20. Section 173 was amended by the Employment Act 2002 (c.22) section 43(1) and (6) and Schedule 7, paragraphs 18 and 21.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
