

Employment (Dismissal and Re-employment) Bill

[AS INTRODUCED]

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[AS INTRODUCED]

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Prohibit employers dismissing employees and subsequently re-employing them for the purpose of diminishing the terms and conditions of employment; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Amendment of the Employment Rights Act 1996

- (1) The Employment Rights Act 1996 is amended as follows.
- (2) After section 105 (unfair dismissal: redundancy) insert—

“105A Re-employment on less favourable terms and conditions

- (1) An employee who is dismissed shall be regarded for the purposes of this Part as unfairly dismissed if the reason (or, if more than one, the principal reason) for the dismissal is to re-employ the employee on less favourable terms and conditions. 5
- (2) In this section, “terms and conditions” includes—
 - (a) terms and conditions about remuneration; and 10
 - (b) matters connected with an employee's employment whether or not they arise under the contract of employment.”

2 Extent, commencement and short title

- (1) This Act extends to England and Wales and Scotland.
- (2) This Act comes into force 14 days after the day on which it is passed. 15
- (3) This Act may be cited as the Employment (Dismissal and Re-employment) Act 2020.

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