



Employment Rights Act 1996

1996 CHAPTER 18

PART V

PROTECTION FROM SUFFERING DETRIMENT IN EMPLOYMENT

Rights not to suffer detriment

[^{F1}47C] **Leave for family and domestic reasons.**

- (1) An employee has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by his employer done for a prescribed reason.
- (2) A prescribed reason is one which is prescribed by regulations made by the Secretary of State and which relates to—
 - (a) pregnancy, childbirth or maternity,
[time off under section 57ZE,]
^{F2}(aa)
[time off under section 57ZJ or 57ZL,]
^{F3}(ab)
 - (b) ordinary, compulsory or additional maternity leave,
[ordinary or additional adoption leave,]
^{F4}(ba)
[shared parental leave,]
^{F5}(bb)
 - (c) parental leave,
[^{F7}... paternity leave,]
^{F6}(ca)
[parental bereavement leave,] or
^{F8}(cb)
 - (d) time off under section 57A.

Status: Point in time view as at 18/01/2020. This version of this provision has been superseded.

Changes to legislation: Employment Rights Act 1996, Section 47C is up to date with all changes known to be in force on or before 14 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (3) A reason prescribed under this section in relation to parental leave may relate to action which an employee takes, agrees to take or refuses to take under or in respect of a collective or workforce agreement.
- (4) Regulations under this section may make different provision for different cases or circumstances.
- [An agency worker has the right not to be subjected to any detriment by any act, or
- ^{F9}(5) any deliberate failure to act, by the temporary work agency or the hirer done on the ground that—
- (a) being a person entitled to—
- (i) time off under section 57ZA, and
- (ii) remuneration under section 57ZB in respect of that time off,
- the agency worker exercised (or proposed to exercise) that right or received (or sought to receive) that remuneration,
- (b) being a person entitled to time off under section 57ZG, the agency worker exercised (or proposed to exercise) that right,
- (c) being a person entitled to—
- (i) time off under section 57ZN, and
- (ii) remuneration under section 57ZO in respect of that time off,
- the agency worker exercised (or proposed to exercise) that right or received (or sought to receive) that remuneration, or
- (d) being a person entitled to time off under section 57ZP, the agency worker exercised (or proposed to exercise) that right.
- (6) Subsection (5) does not apply where the agency worker is an employee.
- (7) In this section the following have the same meaning as in the Agency Workers Regulations 2010 (S.I. 2010/93)—
- “agency worker”;
- “hirer”;
- “temporary work agency”.]]

Textual Amendments

- F1** S. 47C inserted (15.12.1999) by 1999 c. 26, s. 9, **Sch. 4 Pt. III para. 8**; S.I. 1999/2830, art. 2(2), **Sch. 1 Pt. II** (with **Sch. 3 paras. 10, 11**)
- F2** S. 47C(2)(aa) inserted (30.6.2014) by **Children and Families Act 2014 (c. 6)**, **ss. 127(2)(a)**, 139(6); S.I. 2014/1640, art. 3(1)(i)
- F3** S. 47C(2)(ab) inserted (30.6.2014) by **Children and Families Act 2014 (c. 6)**, **ss. 128(2)(a)**, 139(6); S.I. 2014/1640, art. 3(1)(j)
- F4** S. 47C(2)(ba) inserted (8.12.2002) by **Employment Act 2002 (c. 22)**, s. 53, **Sch. 7 para. 26(2)**; S.I. 2002/2866, **art. 2(2)**, **Sch. 1 Pt. 2**
- F5** S. 47C(2)(bb) inserted (30.6.2014) by **Children and Families Act 2014 (c. 6)**, s. 139(6), **Sch. 7 para. 31(a)**; S.I. 2014/1640, art. 3(2)(g)
- F6** S. 47C(2)(ca) substituted (3.3.2010) by **Work and Families Act 2006 (c. 18)**, ss. 11, 19, **Sch. 1 para. 30**; S.I. 2010/495, **art. 3(c)**
- F7** Words in s. 47C(2)(ca) repealed (5.4.2015) by **Children and Families Act 2014 (c. 6)**, s. 139(6), **Sch. 7 para. 31(b)**; S.I. 2014/1640, art. 7(n) (with art. 16)
- F8** S. 47C(2)(cb) inserted (18.1.2020) by **Parental Bereavement (Leave and Pay) Act 2018 (c. 24)**, s. 2(2), **Sch. para. 22**; S.I. 2020/45, reg. 2

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F9 S. 47C(5)-(7) inserted (1.10.2014 for specified purposes, 5.4.2015 for specified purposes) by [Children and Families Act 2014 \(c. 6\)](#), **ss. 129(1)**, 139(6); S.I. 2014/1640, arts. 4(b), 6(e)

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