

Status: This is the original version (as it was originally enacted).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

SCHEDULES

SCHEDULE 5

SCHEDULE 2 TO THE CONTRACTS OF EMPLOYMENT ACT 1972, AS SUBSTITUTED

RIGHTS OF EMPLOYEE IN PERIOD OF NOTICE

Termination of employment during period of notice

- 7 (1) If, during the period of notice, the employer breaks the contract of employment, payments received under this Schedule in respect of the part of the period after the breach shall go towards mitigating the damages recoverable by the employee for loss of earnings in that part of the period of notice.
- (2) If, during the period of notice, the employee breaks the contract and the employer rightfully treats the breach as terminating the contract, no payment shall be due to the employee under this Schedule in respect of the part of the period of notice falling after the termination of the contract.