
DRAFT STATUTORY INSTRUMENTS

2020 No.

**The Statutory Parental Bereavement
Pay (General) Regulations 2020**

PART 3

**CONDITIONS OF ENTITLEMENT RELATING
TO EMPLOYMENT AND EARNINGS**

Continuous employment and unfair dismissal

13.—(1) Where in consequence of specified action in relation to a person’s dismissal, the person is reinstated or re-engaged by their employer or by a successor or associated employer of that employer then—

- (a) the continuity of their employment shall be preserved for the purposes of section 171ZZ6 of the 1992 Act for the period beginning with the effective date of termination and ending with the date of reinstatement or re-engagement, and
- (b) any week which falls within the interval beginning with the effective date of termination and ending with the date of reinstatement or re-engagement, as the case may be, shall count in the computation of their period of continuous employment.

(2) In this regulation—

- (a) “associated employer” shall be construed in accordance with section 231 of the Employment Rights Act 1996⁽¹⁾;
- (b) “dismissal procedures agreement” and “successor” have the same meanings as in section 235 of the Employment Rights Act 1996;
- (c) “specified action in relation to a person’s dismissal” means action which consists of—
 - (i) the presentation by that person of a complaint under section 111(1) (complaints to employment tribunal) of the Employment Rights Act 1996,
 - (ii) that person making a claim in accordance with a dismissal procedures agreement designated by an order under section 110 of that Act⁽²⁾, or
 - (iii) any action taken by a conciliation officer under sections 18A to 18C (conciliation) of the Employment Tribunals Act 1996⁽³⁾.

(1) 1996 c. 18.

(2) Section 110 was amended by the Employment Rights (Dispute Resolution) Act 1998 (c. 8), section 1(2)(a) and (c) and section 12(1) to (3) and (5); the Employment Act 2002 (c. 22), section 44 and Schedule 9, Part 3, paragraphs 52(1)(b) and the Crime and Courts Act 2013 (c. 22), Schedule 9, Part 3, paragraph 52.

(3) 1996 c. 17; sections 18A to 18C were inserted by the Enterprise and Regulatory Reform Act 2013 (c. 24), section 7 and Schedule 1, paragraph 6.