



Employment Protection (Consolidation) Act 1978

1978 CHAPTER 44

PART V

UNFAIR DISMISSAL

Amount of compensation

[^{F1}76A Awards against third parties.

- (1) If in proceedings before an industrial tribunal on a complaint against an employer under section 67 either the employer or the complainant claims—
 - (a) that the employer was induced to dismiss the complainant by pressure which a trade union or other person exercised on the employer by calling, organising, procuring or financing a strike or other industrial action, or by threatening to do so, and
 - (b) that the pressure was exercised because the complainant was not a member of any trade union or of a particular trade union or of one of a number of particular trade unions,the employer or the complainant may request the tribunal to direct that the person who he claims exercised the pressure be joined, or in Scotland sisted, as a party to the proceedings.
- (2) A request under subsection (1) shall be granted if it is made before the hearing of the complaint begins, but may be refused if it is made after that time; and no such request may be made after the tribunal has made an award under section 68(2) or an order under section 69.
- (3) Where a person has been joined, or in Scotland sisted, as a party to proceedings before an industrial tribunal by virtue of subsection (1) and the tribunal—
 - (a) makes an award of compensation under section 68(2) or 71(2)(a) or (b), but
 - (b) finds that the claim mentioned in subsection (1) is well-founded,

Status: Point in time view as at 15/10/1992. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978, Section 76A. (See end of Document for details)

the award may be made against that person instead of against the employer, or partly against that person and partly against the employer, as the tribunal may consider just and equitable in the circumstances.]

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Textual Amendments

F1 S. 76A substituted by [Employment Act 1982 \(c. 46, SIF 43:5\)](#), [s. 7](#) with saving in [S.I. 1982/1656](#), [Sch. 2](#)

Status:

Point in time view as at 15/10/1992. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Employment Protection (Consolidation) Act 1978, Section 76A.