



Employment Act 1980

1980 CHAPTER 42

Unfair dismissal

8 Exclusions of rights

(1) After section 64 of the 1978 Act there shall be inserted—

“64A Extended qualifying period where no more than twenty employees.

(1) Subject to subsection (2), section 54 does not apply to the dismissal of an employee from any employment if—

- (a) the period (ending with the effective date of termination) during which the employee was continuously employed did not exceed two years; and
- (b) at no time during that period did the number of employees employed by the employer for the time being of the dismissed employee, added to the number employed by any associated employer, exceed twenty.

(2) Subsection (1) shall not apply to the dismissal of an employee by reason of any such requirement or recommendation as is referred to in section 19(1), or if it is shown that the reason (or, if more than one, the principal reason) for the dismissal was an inadmissible reason.”

(2) In section 142(1) of the 1978 Act (which provides that section 54 does not apply in relation to a contract for a fixed term of two years or more) for the words " two years " there shall be substituted the words " one year " .