



Trade Union and Labour Relations (Consolidation) Act 1992

1992 CHAPTER 52

PART III

RIGHTS IN RELATION TO UNION MEMBERSHIP AND ACTIVITIES

[^{F1}Inducements

[^{F1}145E Remedies

- (1) Subsections (2) and (3) apply where the employment tribunal finds that a complaint under section 145A or 145B is well-founded.
- (2) The tribunal—
 - (a) shall make a declaration to that effect, and
 - (b) shall make an award to be paid by the employer to the complainant in respect of the offer complained of.
- (3) The amount of the award shall be [^{F2}£4,059] (subject to any adjustment of the award that may fall to be made under Part 3 of the Employment Act 2002).
- (4) Where an offer made in contravention of section 145A or 145B is accepted—
 - (a) if the acceptance results in the worker's agreeing to vary his terms of employment, the employer cannot enforce the agreement to vary, or recover any sum paid or other asset transferred by him under the agreement to vary;
 - (b) if as a result of the acceptance the worker's terms of employment are varied, nothing in section 145A or 145B makes the variation unenforceable by either party.
- (5) Nothing in this section or sections 145A and 145B prejudices any right conferred by section 146 or 149.

Status: Point in time view as at 06/04/2018. This version of this provision has been superseded.

Changes to legislation: Trade Union and Labour Relations (Consolidation) Act 1992, Section 145E is up to date with all changes known to be in force on or before 01 August 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)

- (6) In ascertaining any amount of compensation under section 149, no reduction shall be made on the ground—
- (a) that the complainant caused or contributed to his loss, or to the act or failure complained of, by accepting or not accepting an offer made in contravention of section 145A or 145B, or
 - (b) that the complainant has received or is entitled to an award under this section.]

Textual Amendments

- F1** Ss. 145A-145F and preceding cross-heading inserted (1.10.2004) by [Employment Relations Act 2004](#) (c. 24), **ss. 29**, 59(2)-(4); S.I. 2004/2566, **art. 3(a)** (with arts. 4-8)
- F2** Sum in s. 145E(3) substituted (6.4.2018) by [The Employment Rights \(Increase of Limits\) Order 2018](#) (S.I. 2018/194), arts. 1(1), 3, **Sch.** (with art. 4)

Status:

Point in time view as at 06/04/2018. This version of this provision has been superseded.

Changes to legislation:

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