

SCHEDULES

SCHEDULE 5

EMPLOYMENT PROTECTION IN HEALTH AND SAFETY CASES

7 In section 72 of the 1978 Act (compensation for unfair dismissal) there shall be inserted at the end the following—

“(2) Where the reason (or, if more than one, the principal reason) for the dismissal or, in a redundancy case, for selecting the employee for dismissal, was an inadmissible reason, then, unless—

(a) the complainant does not request the tribunal to make an order under section 69, or

(b) the case falls within section 73(2),

the award shall include a special award calculated in accordance with section 75A.

(3) For the purposes of subsection (2) a reason is “inadmissible” if it is one of those specified in section 57A(1)(a) and (b).”and the preceding words shall become subsection (1) of section 72.