



# Employment Rights Act 1996

## 1996 CHAPTER 18

### PART XIV

#### INTERPRETATION

#### CHAPTER I

##### CONTINUOUS EMPLOYMENT

#### **212 Weeks counting in computing period**

- (1) Any week during the whole or part of which an employee's relations with his employer are governed by a contract of employment counts in computing the employee's period of employment.
- (2) Any week (not within subsection (1)) during an employee's period of absence from work occasioned wholly or partly by pregnancy or childbirth after which the employee returns to work in accordance with section 79, or in pursuance of an offer described in section 96(3), counts in computing the employee's period of employment.
- (3) Subject to subsection (4), any week (not within subsection (1)) during the whole or part of which an employee is—
  - (a) incapable of work in consequence of sickness or injury,
  - (b) absent from work on account of a temporary cessation of work,
  - (c) absent from work in circumstances such that, by arrangement or custom, he is regarded as continuing in the employment of his employer for any purpose, or
  - (d) absent from work wholly or partly because of pregnancy or childbirth,counts in computing the employee's period of employment.
- (4) Not more than twenty-six weeks count under subsection (3)(a) or (subject to subsection (2)) subsection (3)(d) between any periods falling under subsection (1).