



Employment Rights Act 1996

1996 CHAPTER 18

PART IV

SUNDAY WORKING FOR SHOP AND BETTING WORKERS

Opting-out of Sunday work

[^{F1}41D Failure to give explanatory statement under section 41B or 41C

- (1) This section applies if an employer fails to give to a shop worker a written statement in accordance with—
 - (a) section 41B(2) and (3), or
 - (b) section 41C(2) and (3).
- (2) If the shop worker gives to the employer an opting-out notice, the notice period under section 41(3) that applies in relation to the shop worker is varied as follows—
 - (a) if the notice period under that provision would have been one month, it becomes 7 days instead;
 - (b) if the notice period under that provision would have been three months, it becomes one month instead.
- (3) If the shop worker gives to the employer an objection notice, the relevant period under section 43ZA(2) that applies in relation to the shop worker is varied as follows—
 - (a) if the relevant period under that provision would have been one month, it becomes 7 days instead;
 - (b) if the relevant period under that provision would have been three months, it becomes one month instead.]

Textual Amendments

- F1** Ss. 41A-41D inserted (4.5.2016 for specified purposes) by [Enterprise Act 2016 \(c. 12\), s. 44\(1\)\(d\)](#), [Sch. 5 para. 3](#)

Status:

Point in time view as at 06/08/2022.

Changes to legislation:

Employment Rights Act 1996, Section 41D is up to date with all changes known to be in force on or before 09 June 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.