



Employment Rights Act 1996

1996 CHAPTER 18

PART V

PROTECTION FROM SUFFERING DETRIMENT IN EMPLOYMENT

Rights not to suffer detriment

47 Employee representatives

- (1) An employee has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by his employer done on the ground that, being—
 - (a) an employee representative for the purposes of Chapter II of Part IV of the Trade Union and Labour Relations (Consolidation) Act 1992 (redundancies) or Regulations 10 and 11 of the Transfer of Undertakings (Protection of Employment) Regulations 1981, or
 - (b) a candidate in an election in which any person elected will, on being elected, be such an employee representative,he performed (or proposed to perform) any functions or activities as such an employee representative or candidate.
- (2) Except where an employee is dismissed in circumstances in which, by virtue of section 197, Part X does not apply to the dismissal, this section does not apply where the detriment in question amounts to a dismissal (within the meaning of that Part).