



# Employment Rights Act 1996

## 1996 CHAPTER 18

### PART VI

#### TIME OFF WORK

*[<sup>F1</sup>Ante-natal care: agency workers*

#### **[<sup>F1</sup>57ZB Right to remuneration for time off under section 57ZA**

- ( ) An agency worker who is permitted to take time off under section 57ZA is entitled to be paid remuneration by the temporary work agency for the period of absence at the appropriate hourly rate.
- ( ) The appropriate hourly rate, in relation to an agency worker, is the amount of one week's pay divided by the number of normal working hours in a week for that agency worker in accordance with the terms under which the agency worker works temporarily for and under the supervision and direction of the hirer that are in force on the day when the time off is taken.
- ( ) But where the number of normal working hours during the assignment differs from week to week or over a longer period, the amount of one week's pay shall be divided instead by the average number of normal working hours calculated by dividing by twelve the total number of the agency worker's normal working hours during the period of twelve weeks ending with the last complete week before the day on which the time off is taken.
- ( ) A right to any amount under subsection (1) does not affect any right of an agency worker in relation to remuneration under her contract with the temporary work agency ("contractual remuneration").
  - (5) Any contractual remuneration paid to an agency worker in respect of a period of time off under section 57ZA goes towards discharging any liability of the temporary work agency to pay remuneration under subsection (1) in respect of that period; and, conversely, any payment of remuneration under subsection (1) in respect of a period

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*Status: Point in time view as at 01/10/2011.*

*Changes to legislation: Employment Rights Act 1996, Section 57ZB 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. (See end of Document for details)*

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goes towards discharging any liability of the temporary work agency to pay contractual remuneration in respect of that period.]

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**Textual Amendments**

- F1** Ss. 57ZA-57ZD and heading inserted (1.10.2011) by [The Agency Workers Regulations 2010 \(S.I. 2010/93\)](#), Reg. 25, **Sch. 2 para. 93**

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