



# Employment Rights Act 1996

## 1996 CHAPTER 18

### PART VII

#### SUSPENSION FROM WORK

##### *Suspension on medical grounds*

#### **65 Exclusions from right to remuneration.**

- (1) An employee is not entitled to remuneration under section 64 unless he has been continuously employed for a period of not less than one month ending with the day before that on which the suspension begins.
- (2) <sup>F1</sup>.....
- (3) An employee is not entitled to remuneration under section 64 in respect of any period during which he is incapable of work by reason of disease or bodily or mental disablement.
- (4) An employee is not entitled to remuneration under section 64 in respect of any period if—
  - (a) his employer has offered to provide him with suitable alternative work during the period (whether or not it is work which the employee is under his contract, or was under the contract in force before the suspension, employed to perform) and the employee has unreasonably refused to perform that work, or
  - (b) he does not comply with reasonable requirements imposed by his employer with a view to ensuring that his services are available.

#### **Textual Amendments**

- F1** S. 65(2) omitted (1.10.2002) by virtue of The Fixed-term [Employees \(Prevention of Less Favourable Treatment\) Regulations 2002](#) (S.I. 2002/2034), reg. 11, [Sch. 2 Pt. 1 para. 3\(3\)](#) (with regs. 13-20 and subject to transitional provisions in [Sch. 2 Pt. 2](#))

**Status:**

Point in time view as at 08/10/2004.

**Changes to legislation:**

Employment Rights Act 1996, Section 65 is up to date with all changes known to be in force on or before 30 July 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.