



Employment Rights Act 1996

1996 CHAPTER 18

PART VII

SUSPENSION FROM WORK

[^{F1}Ending the supply of an agency worker on maternity grounds

[^{F1}68B Right to offer of alternative work

(1) Where the supply of an agency worker to a hirer is ended on maternity grounds and the temporary work agency has available suitable alternative work, the agency worker has a right to be offered to be proposed for such alternative work. (2) For alternative work to be suitable for an agency worker for the purposes of this section—

- (a) the work must be of a kind which is both suitable in relation to her and appropriate for her to do in the circumstances, and
- (b) the terms and conditions applicable to her whilst performing the work, if they differ from the corresponding terms and conditions which would have applied to her but for the fact that the supply of the agency worker to the hirer was ended on maternity grounds, must not be substantially less favourable to her than those corresponding terms and conditions.

(3) Subsection (1) does not apply—

- (a) where the agency worker has confirmed in writing that she no longer requires the work-finding services of the temporary work agency, or
- (b) beyond the original intended duration, or likely duration, whichever is the longer, of the assignment which ended when the supply of the agency worker to the hirer was ended on maternity grounds.]

Textual Amendments

- F1** Ss. 68A-68D and heading inserted (1.10.2011) by [The Agency Workers Regulations 2010 \(S.I. 2010/93\)](#), reg. 25, [Sch. 2 para. 12](#)

Status:

Point in time view as at 01/04/2023.

Changes to legislation:

Employment Rights Act 1996, Section 68B is up to date with all changes known to be in force on or before 13 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.