

SCHEDULES

SCHEDULE 31

TRANSFER SCHEMES: FURTHER PROVISION

Transfer of employees and continuity of employment

- 4 (1) This paragraph applies where—
- (a) a transfer scheme provides for the transfer of rights, powers, duties and liabilities relating to a person's contract of employment, but
 - (b) before the transfer takes effect, the person informs the transferor or transferee that the person objects to the transfer.
- (2) Those rights, powers, duties and liabilities are not transferred to the transferee.
- (3) The person's contract of employment is terminated immediately before the day on which the transfer would have occurred.
- (4) The person is not, for any purpose, to be regarded as having been dismissed.
- (5) Nothing in this paragraph affects the person's right to terminate the contract of employment if, apart from the change of employer, a substantial change is made to the person's detriment in his or her working conditions.