
STATUTORY INSTRUMENTS

2000 No. 1551

The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000

PART II

RIGHTS AND REMEDIES

Unfair dismissal and the right not to be subjected to detriment

7.—(1) An employee who is dismissed shall be regarded as unfairly dismissed for the purposes of Part X of the 1996 Act if the reason (or, if more than one, the principal reason) for the dismissal is a reason specified in paragraph (3).

(2) A worker has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by his employer done on a ground specified in paragraph (3).

(3) The reasons or, as the case may be, grounds are—

(a) that the worker has—

- (i) brought proceedings against the employer under these Regulations;
- (ii) requested from his employer a written statement of reasons under regulation 6;
- (iii) given evidence or information in connection with such proceedings brought by any worker;
- (iv) otherwise done anything under these Regulations in relation to the employer or any other person;
- (v) alleged that the employer had infringed these Regulations; or
- (vi) refused (or proposed to refuse) to forgo a right conferred on him by these Regulations, or

(b) that the employer believes or suspects that the worker has done or intends to do any of the things mentioned in sub-paragraph (a).

(4) Where the reason or principal reason for dismissal or, as the case may be, ground for subjection to any act or deliberate failure to act, is that mentioned in paragraph (3)(a)(v), or (b) so far as it relates thereto, neither paragraph (1) nor paragraph (2) applies if the allegation made by the worker is false and not made in good faith.

(5) Paragraph (2) does not apply where the detriment in question amounts to the dismissal of an employee within the meaning of Part X of the 1996 Act.