
STATUTORY INSTRUMENTS

2002 No. 3207

The Flexible Working (Procedural Requirements) Regulations 2002

Right to be accompanied

- 14.—(1) This regulation applies where—
- (a) a meeting is held under regulation 3(1) or 8(1), and
 - (b) the employee reasonably requests to be accompanied at the meeting.
- (2) Where this regulation applies the employer must permit the employee to be accompanied at the meeting by a single companion who—
- (a) is chosen by the employee and is within paragraph (3),
 - (b) is to be permitted to address the meeting (but not to answer questions on behalf of the employee), and
 - (c) is to be permitted to confer with the employee during the meeting.
- (3) A person comes within this paragraph if he is a worker employed by the same employer as the employee.
- (4) If—
- (a) an employee has a right under this regulation to be accompanied at a meeting,
 - (b) his chosen companion will not be available at the time proposed for the meeting by the employer, and
 - (c) the employee proposes an alternative time which satisfies paragraph (5),
- the employer must postpone the meeting to the time proposed by the employee.
- (5) An alternative time must—
- (a) be convenient for employer, employee and companion, and
 - (b) fall before the end of the period of seven days beginning with the first day after the day proposed by the employer.
- (6) An employer shall permit a worker to take time off during working hours for the purpose of accompanying an employee in accordance with a request under paragraph (1)(b).
- (7) Sections 168(3) and (4), 169 and 171 to 173 of the Trade Union and Labour Relations (Consolidation) Act 1992⁽¹⁾ (time off for carrying out trade union duties) shall apply in relation to paragraph (6) above as they apply in relation to section 168(1) of that Act.