

The **Employment Rights Bill** has received Royal Assent formally becoming the **Employment Rights Act**. Changes are confirmed to take place over a 2-year period, and will be rolled out in stages, with key updates planned in April and October 2026. The remaining changes will be implemented in 2027.

Implementation at Royal Assent (or shortly after)

- Repeal of the Strikes (Minimum Service Levels) Act 2023.
- Removal of the 10-year ballot requirement for trade union political funds.
- Simplification of industrial action notices and industrial action ballot notices.
- Introduction of protections against dismissal for taking industrial action.

Employment Rights Act implementation due April 2026

Collective redundancy protective award

- Doubles the maximum period of the protective award from 90 days to 180 days.

Statutory Sick Pay

- The removal of the lower earnings limits (currently £125 a week) and three-day waiting period. This means that the lowest earners will be eligible for Statutory Sick Pay (SSP) from their first day of sickness.



Day one paternity and unpaid parental leave

- Supports working families from the first day of employment by removing the current service requirements for each type of leave.

Improved whistleblowing protections

- This change is about making allegations of sexual harassment a protected disclosure.

Trade union measures

- Simplifies the trade union recognition process and electronic workplace balloting reforms.

The establishment of the fair work agency

- The fair work agency will enforce labour rights as well be a source of promotion for fairness in the workplace.



Employment legislation due for October 2026 implementation

Trade union measures

- Greater protections and new rights for trade union representatives.
- Extended protections against detriments for taking industrial action.
- Strengthening trade unions' right of access and the requirement for employers to provide workers with a written statement informing them of their right to join a trade union upon commencement of employment.

Employers to “take all reasonable steps” to prevent sexual harassment of their workers

- This legislation is designed to ensure a more respectful and safer workplace.

Employers will need to show that they have taken ALL reasonable steps to prevent sexual harassment.



Obligation to prevent sexual harassment of employees by third parties

- The third-party duty extends the protections, meaning employers can be held liable if a worker is harassed by a third-party such as a client, customer or contractor etc.

Restrictions on fire and rehire practices

- Restricts employer's use of fire and rehire to limited circumstances, otherwise dismissing an employee for failing to agree terms will be automatically unfair.

Regulations to establish the fair pay agreement adult social care negating body (England)

- Seeks to raise standards and pay in the social care sector.

Tightening tipping law

- Tipping law will be strengthened by mandating consultation with workers.
- Ensures a fairer system for tip allocations.



Employment tribunal time limits

- Extension of employment tribunal time limits from three months to six months.

£11,914

Average tribunal claim

Employment law changes coming into enforcement in 2027

Right to unfair dismissal after 6 months of service – Jan 1st

- Removal of the 2-year service clause for unfair dismissal claims.
- Employees covered after 6 months of continuous service.
- Introduction of statutory probation periods.
- Retrospectively applies to all employees that have reached the threshold at the implementation date (Jan 1st 2027).

Access to flexible working

- Designed to improve work life balance, including family, health and other responsibilities outside of the workplace. Employers must have an explanation on why it was reasonable for refusing a flexible working request. Creation of a modern framework for industrial relations.

Under current legislation, employers must respond within 2 months of receiving a flexible working request and there are 8 fair reasons for refusal, namely:

- *Burden of additional costs.*
- *Detrimental effect on the business' ability to meet customer demand.*
- *Detrimental impact on quality.*
- *Detrimental impact on performance.*
- *Unable to reorganise work among existing staff.*
- *Unable to recruit more staff.*
- *Insufficient work during the periods the employee wishes to work.*
- *Planned structural changes.*

The above fair reasons will not change.



Creation of a modern framework for industrial relations

- Fairer approach to workplace relations with more collaboration.

Reforms on zero hours contracts

- Ensures workers have stable working hours available to them and have a predictable income. Offers zero-hour, low hour and agency workers guaranteed hours contracts, reflecting their usual working hours with notice or compensation for shift changes.

Further harassment protections

- Specifies all the "reasonable" steps that will help determine the measures employers should take to prevent sexual harassment.
- Serves as an enforcement criterion to assess whether an employer has taken all reasonable steps.

Enhanced dismissal protections for pregnant women and new mothers

- Safeguarding job security during pregnancy as well as, maternity leave and the return-to-work period.

Bereavement leave

- Affords workers time off to grieve, whilst ensuring job security.

Gender pay gap and menopause action plans

- Introduced on a voluntary basis in April 2026, becoming effective as of 2027.
- Aims to promote gender equality and further support women's health in the workplace.

Regulation of umbrella companies

- Tighter regulations to be implemented for umbrella companies.

Collective consultation thresholds

- Introduction of new thresholds in collective redundancy situations.



12%

Increase in employers being taken to an employment tribunal



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