

Employment Rights Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Marshalled List]

Clause 1

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

Clause 1, page 10, line 3 at end insert –

- (c) in determining whether it was reasonable to enter into a limited-term contract, regard must be had to the employer’s operational circumstances and information available at the time the contract was made, including –
 - (i) genuine short-term business needs or uncertainty,
 - (ii) seasonal, project-based, or event-based fluctuations,
 - (iii) relevant financial or staffing forecasts, and
 - (iv) industry norms or practices relating to temporary contracts.
- (d) a decision to enter into a limited-term contract must not be considered unreasonable solely because subsequent business conditions changed in a manner not reasonably foreseeable at the time the contract was entered into.”

Member's explanatory statement

This amendment clarifies that the reasonableness of entering into a limited-term contract should be assessed based on the employer’s operational context and the information available at the time of contracting. It lists specific factors that may be relevant to that assessment and states that unforeseeable changes in business conditions after the fact should not, by themselves, render a decision unreasonable.

Clause 153

BARONESS PENN

Clause 153, page 149, line 21, at end insert –

- “(8) When making regulations under this Act by statutory instrument, the Secretary of State, the Welsh Ministers or the Scottish Ministers must have regard to the impact of such regulations on the economic growth and competitiveness of the United Kingdom.”

Member's explanatory statement

This amendment seeks to ensure that consideration is given to the UK's growth and competitiveness when making regulations under the Bill.

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1 May 2025

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