

Employment Rights Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Third Marshalled List]

After Clause 26

BARONESS BENNETT OF MANOR CASTLE

After Clause 26, insert the following new Clause—

“Right to disconnect

- (1) All workers have the right to disconnect from work-related communications outside their working hours.
- (2) An employer must not—
 - (a) require a worker to monitor, read or respond to any work-related communications outside the worker's working hours;
 - (b) contact a worker outside the worker's working hours except in an emergency as defined in subsection (6);
 - (c) take any action to the worker's detriment, or treat the worker less favourably, because the worker has exercised or sought to exercise the right in subsection (1).
- (3) Every employer must—
 - (a) establish a written disconnection policy, in consultation with workers or recognised trade unions,
 - (b) specify the technological and organisational measures implemented to ensure respect for the right to disconnect,
 - (c) establish clear protocols for necessary exceptions, and
 - (d) provide workers with information about how to report violations of the right to disconnect.
- (4) The right to disconnect does not apply where—
 - (a) a worker is on call or standby duty and receiving appropriate compensation for such duty,
 - (b) a worker has explicitly agreed to be available during specified periods outside working hours, with this agreement recorded in writing, or

- (c) in genuine emergency situations affecting public health, safety, or essential services.
- (5) A worker may present a complaint to an employment tribunal that their employer has infringed their right to disconnect under this section.
- (6) In this section –
 - “emergency” means a situation that –
 - (a) poses an immediate risk to health, life, property or environment, or
 - (b) requires urgent intervention to prevent serious harm to the business, customers or other workers;
 - “working hours” means the hours a worker is contractually required to work, including any agreed flexible working arrangements.
- (7) The Secretary of State must issue a statutory code of practice containing guidance on the implementation of the right to disconnect within six months of this Act receiving Royal Assent.”

Member's explanatory statement

This amendment would implement a framework for a "right to disconnect", whereby workers cannot be required to handle work related correspondence outside of their working hours.

After Clause 150

BARONESS BENNETT OF MANOR CASTLE

After Clause 150, insert the following new Clause –

“Review of electronic monitoring of workers in the workplace

- (1) Within 12 months of the day on which this Act is passed, the Secretary of State must publish a review of electronic monitoring of workers in the workplace, particularly but not exclusively workers for computer-based employment and workers in warehouse and related employment.
- (2) The review under subsection (1) must include –
 - (a) the extent of the use of such monitoring;
 - (b) its impacts on workers' health, safety and wellbeing;
 - (c) a comparison of the UK legal situation in comparison with other comparable countries;
 - (d) a consideration of potential amendments to the current legal framework to improve the health and wellbeing of workers.”

Member's explanatory statement

This amendment would require the Government to review the extent of, impacts of, arguments for restricting of, and international comparisons with other nations, and make recommendations.

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