

Employment Rights Bill

RUNNING LIST OF ALL AMENDMENTS ON REPORT

*Tabled up to and including
25 June 2025*

[Amendments marked ★ are new or have been altered]

Clause 1

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Clause 1, page 2, line 8, leave out “be offered” and insert “request”

Member's explanatory statement

This amendment changes the provisions in the Bill from a requirement for an employer to offer guaranteed hours to a right to request guaranteed hours by an employee.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Clause 1, page 2, line 10, leave out from “27BB” to end of line 14 and insert “if the worker requests it”

Member's explanatory statement

This amendment changes the provisions in the Bill from a requirement for an employer to offer guaranteed hours to a right to request guaranteed hours by an employee.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Clause 1, page 3, line 21, leave out “with the specified day” and insert “26 weeks after the day on which the period began”

Member's explanatory statement

This amendment would set the initial reference period for the right to guaranteed hours to 26 weeks.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Clause 1, page 3, line 23, leave out “beginning and ending with the specified days” and insert “of 26 weeks”

Member's explanatory statement

This amendment would set the initial reference period for the right to guaranteed hours to 26 weeks.

Clause 23

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Leave out Clause 23 and insert—

“Right not to be unfairly dismissed: reduction of qualifying period and introduction of initial period of employment

Schedule 3 contains provision—

- (a) reducing the qualifying period of employment for unfair dismissal and introducing provisions in respect of an initial period of employment, and
- (b) making further consequential amendments.”

Member's explanatory statement

This amendment provides that the qualifying period for unfair dismissal is reduced as set out in further amendments to Schedule 3. It also provides for an initial period of employment after the qualifying period during which a modified process and different compensation limit would apply, as set out in further regulations.

Clause 26

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Clause 26, page 46, line 30, at end insert—

“(3A) Subsection (1) does not apply if the variation concerns the employee’s place of work and section 139(1)(a) (ii) or 139(1)(b)(ii) (redundancy: ceasing to carry on business) applies.”

Member's explanatory statement

This amendment clarifies that dismissals amounting to a place of work redundancy are not to be treated as automatically unfair.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Clause 26, page 47, line 34, after “with” insert “subsection (3A) and”

Member's explanatory statement

This amendment clarifies that dismissals amounting to a place of work redundancy are not to be treated as automatically unfair.

Clause 65

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Clause 65, page 96, line 23, leave out subsection (2)

Member's explanatory statement

This probing amendment would reinstate the 50% threshold requirement for industrial action to be voted on by a trade union and seeks to probe whether the Government perceives a risk to the democratic integrity of trade union ballots for industrial action as a result of the provisions to remove the 50% requirement.

After Clause 150

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ After Clause 150, insert the following new Clause —

“Disapplication for businesses with fewer than 50 employees

None of the amendments made by sections 1 to 6, 8 to 13, 27, 55, 56 or 62 apply to businesses with fewer than 50 employees.”

Member's explanatory statement

This amendment seeks to disapply specific provisions of the Bill for businesses with fewer than 50 employees.

LORD CLEMENT-JONES

★ After Clause 150, insert the following new Clause —

“Definition of “freelancer”

After section 230 of the Employment Rights Act 1996 (employees, workers etc) insert —

“230A Definition of “freelancer”

- (1) For the purposes of this Act, a “freelancer” means an individual who is engaged to work by a company directly on flexible contracts, through their own company or through other companies on a short-term basis, and who is typically responsible for their own tax and national insurance contributions and is not entitled to the same employment rights as employees.
- (2) The Secretary of State may, by regulations, issue further guidance on the factors to be considered when determining whether an individual is a “freelancer” for the purposes of this Act, taking into account evolving working practices and relevant case law.”

Member's explanatory statement

This amendment provides a definition of a freelancer.

LORD CLEMENT-JONES

★ After Clause 150, insert the following new Clause —

“Duty to consider freelancer workforce

After section 230 of the Employment Rights Act 1996 (employees, workers etc) insert —

“230A Duty to consider freelancer workforce

- (1) When formulating new policies or regulations that may impact the workforce, relevant government departments, including but not limited to the Department for Business and Trade, the Department for Work and Pensions, and the Department for Culture, Media and Sport, must have due regard to the specific needs and circumstances of the freelancer workforce, as defined in section 230A.
- (2) The Freelance Commissioner must be consulted during the development of any such policies or regulations to provide expert advice on their potential impact on freelancers.”

Member's explanatory statement

This amendment places a duty on government departments to consider the needs of freelancers when developing new policies and regulations.

Schedule 3

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Schedule 3, page 194, line 24, leave out paragraphs 1 and 2 and insert –

“1 Section 108 of the Employment Rights Act 1996 (qualifying period of employment) is amended as follows –

- (a) in subsection (1) omit “two years” and insert “six months”;
- (b) after subsection (5), insert –

“(6) Subsection (1) does not apply if section 4(3)(b) of the Rehabilitation of Offenders Act 1974 (read with any order made under section 4(4) of that Act) applies.””

Member's explanatory statement

This amendment reduces the qualifying period for unfair dismissal from two years to six months, leaving in place the existing exceptions to that qualifying period in section 108(3) of the Employment Rights Act and adding a new exception in relation to spent convictions.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Schedule 3, page 196, line 33, leave out “on or before the last day of” and insert “during”

Member's explanatory statement

This amendment is consequential on another in the name of Lord Sharpe of Epsom which provides that the initial period of employment begins after the qualifying period for unfair dismissal.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Schedule 3, page 197, line 31, leave out from beginning to end of line 2 on page 198

Member's explanatory statement

This amendment provides that the initial period of employment begins after the qualifying period for unfair dismissal.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Schedule 3, page 198, line 10, leave out paragraphs (b) and (c)

Member's explanatory statement

This amendment provides that the initial period of employment begins after the qualifying period for unfair dismissal.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Schedule 3, page 198, line 20, after “occurs” insert “before the employee has been continuously employed for the period set out in section 108(1) or”

Member's explanatory statement

This amendment provides that an employee is not entitled to a written statement of reasons for dismissal if the employee is dismissed during either the qualifying period for unfair dismissal or the initial period of employment.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Schedule 3, page 198, line 27, after “substitute” insert “she has been continuously employed for any period or”

Member's explanatory statement

This amendment is consequential on other amendments to Schedule 3 by Lord Sharpe of Epsom and provides that an employee is entitled to a written statement of reasons for dismissal if dismissed when pregnant or on maternity leave, regardless of length of service.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Schedule 3, page 198, line 30, after “substitute” insert “he has been continuously employed for any period or”

Member's explanatory statement

This amendment is consequential on other amendments to Schedule 3 tabled by Lord Sharpe of Epsom and provides that an employee is entitled to a written statement of reasons for dismissal if dismissed when on adoption leave, regardless of length of service.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Schedule 3, page 198, line 32, leave out sub-paragraphs (3) and (4)

Member's explanatory statement

These amendments are consequential on others to Schedule 3 in the name of Lord Sharpe of Epsom.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Schedule 3, page 198, line 39, leave out sub-paragraphs (6) to (10)

Member's explanatory statement

These amendments are consequential on others to Schedule 3 in the name of Lord Sharpe of Epsom.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Schedule 3, page 199, line 12, leave out paragraph 7

Member's explanatory statement

These amendments are consequential on other amendments to Schedule 3 in the name of Lord Sharpe of Epson.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Schedule 3, page 199, line 22, leave out sub-paragraph (2)

Member's explanatory statement

These amendments are consequential on other amendments to Schedule 3 in the name of Lord Sharpe of Epson.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Schedule 3, page 199, line 38, leave out paragraphs (b) to (d)

Member's explanatory statement

These amendments are consequential on other amendments to Schedule 3 in the name of Lord Sharpe of Epson.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Schedule 3, page 200, line 1, leave out paragraph 11

Member's explanatory statement

These amendments are consequential other amendments to for Schedule 3 in the name of Lord Sharpe of Epson.

LORD SHARPE OF EPSOM
LORD HUNT OF WIRRAL

- ★ Schedule 3, page 200, leave out lines 11 to 22

Member's explanatory statement

These amendments are consequential on other amendments to Schedule 3 in the name of Lord Sharpe of Epson.

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