



Employment Protection (Consolidation) Act 1978

1978 CHAPTER 44

PART I

PARTICULARS OF TERMS OF EMPLOYMENT

Written particulars of terms of employment

1 Written particulars of terms of employment

- (1) Not later than thirteen weeks after the beginning of an employee's period of employment with an employer, the employer shall give to the employee a written statement in accordance with the following provisions of this section.
- (2) An employer shall in a statement under this section—
 - (a) identify the parties;
 - (b) specify the date when the employment began;
 - (c) state whether any employment with a previous employer counts as part of the employee's continuous period of employment, and, if so, specify the date when the continuous period of employment began.
- (3) A statement under this section shall contain the following particulars of the terms of employment as at a specified date not more than one week before the statement is given, that is to say—
 - (a) the scale or rate of remuneration, or the method of calculating remuneration,
 - (b) the intervals at which remuneration is paid (that is, whether weekly or monthly or by some other period),
 - (c) any terms and conditions relating to hours of work (including any terms and conditions relating to normal working hours),
 - (d) any terms and conditions relating to—

Status: This is the original version (as it was originally enacted).

- (i) entitlement to holidays, including public holidays, and holiday pay (the particulars given being sufficient to enable the employee's entitlement, including any entitlement to accrued holiday pay on the termination of employment, to be precisely calculated),
- (ii) incapacity for work due to sickness or injury, including any provision for sick pay,
- (iii) pensions and pension schemes,
- (e) the length of notice which the employee is obliged to give and entitled to receive to determine his contract of employment, and
- (f) the title of the job which the employee is employed to do:

Provided that paragraph (d)(iii) shall not apply to the employees of any body or authority if the employees' pension rights depend on the terms of a pension scheme established under any provision contained in or having effect under an Act of Parliament and the body or authority are required by any such provision to give to new employees information concerning their pension rights, or concerning the determination of questions affecting their pension rights.

- (4) Subject to subsection (5), every statement given to an employee under this section shall include a note—
 - (a) specifying any disciplinary rules applicable to the employee, or referring to a document which is reasonably accessible to the employee and which specifies such rules;
 - (b) specifying, by description or otherwise—
 - (i) a person to whom the employee can apply if he is dissatisfied with any disciplinary decision relating to him; and
 - (ii) a person to whom the employee can apply for the purpose of seeking redress of any grievance relating to his employment, and the manner in which any such application should be made;
 - (c) where there are further steps consequent upon any such application, explaining those steps or referring to a document which is reasonably accessible to the employee and which explains them ; and
 - (d) stating whether a contracting-out certificate is in force for the employment in respect of which the statement is given.
- (5) The provisions of paragraphs (a) to (c) of subsection (4) shall not apply to rules, disciplinary decisions, grievances or procedures relating to health or safety at work.
- (6) The definition of week given by section 153(1) does not apply for the purposes of this section.