



# Employment Relations Act 1999

## 1999 CHAPTER 26

### *Other rights of individuals*

#### **19 Part-time work: discrimination.**

- (1) The Secretary of State shall make regulations for the purpose of securing that persons in part-time employment are treated, for such purposes and to such extent as the regulations may specify, no less favourably than persons in full-time employment.
- (2) The regulations may—
  - (a) specify classes of person who are to be taken to be, or not to be, in part-time employment;
  - (b) specify classes of person who are to be taken to be, or not to be, in full-time employment;
  - (c) specify circumstances in which persons in part-time employment are to be taken to be, or not to be, treated less favourably than persons in full-time employment;
  - (d) make provision which has effect in relation to persons in part-time employment generally or provision which has effect only in relation to specified classes of persons in part-time employment.
- (3) The regulations may—
  - (a) confer jurisdiction (including exclusive jurisdiction) on employment tribunals and on the Employment Appeal Tribunal;
  - (b) create criminal offences in relation to specified acts or omissions by an employer, by an organisation of employers, by an organisation of workers or by an organisation existing for the purposes of a profession or trade carried on by the organisation's members;
  - (c) in specified cases or circumstances, extend liability for a criminal offence created under paragraph (b) to a person who aids the commission of the offence or to a person who is an agent, principal, employee, employer or officer of a person who commits the offence;
  - (d) provide for specified obligations or offences not to apply in specified circumstances;

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**Changes to legislation:** There are currently no known outstanding effects for the Employment Relations Act 1999, Section 19. (See end of Document for details)

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- (e) make provision about notices or information to be given, evidence to be produced and other procedures to be followed;
- (f) amend, apply with or without modifications, or make provision similar to any provision of the <sup>M1</sup>Employment Rights Act 1996 (including, in particular, Parts V, X and XIII) or the <sup>M2</sup>Trade Union and Labour Relations (Consolidation) Act 1992;
- (g) provide for the provisions of specified agreements to have effect in place of provisions of the regulations to such extent and in such circumstances as may be specified;
- (h) include supplemental, incidental, consequential and transitional provision, including provision amending an enactment;
- (i) make different provision for different cases or circumstances.

<sup>F1</sup>(4) .....

- (5) Regulations under this section which create an offence—
  - (a) shall provide for it to be triable summarily only, and
  - (b) may not provide for it to be punishable by imprisonment or by a fine in excess of level 5 on the standard scale.

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**Textual Amendments**

**F1** S. 19(4) omitted (31.12.2020) by virtue of [The Employment Rights \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/535\)](#), reg. 1(1), [Sch. 1 para. 4](#) (with Sch. 1 para. 22); 2020 c. 1, Sch. 5 para. 1(1)

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**Marginal Citations**

**M1** 1996 c. 18.  
**M2** 1992 c. 52.

**Changes to legislation:**

There are currently no known outstanding effects for the Employment Relations Act 1999, Section 19.