



# Employment Act 2002

## 2002 CHAPTER 22

### PART 3

#### DISPUTE RESOLUTION ETC.

##### *General*

#### **39 Unfair dismissal: adjustments under sections 31 and 38**

In the Employment Rights Act 1996 (c. 18), after section 124 there is inserted—

##### **“124A Adjustments under the Employment Act 2002**

Where an award of compensation for unfair dismissal falls to be—

- (a) reduced or increased under section 31 of the Employment Act 2002 (non-completion of statutory procedures), or
- (b) increased under section 38 of that Act (failure to give statement of employment particulars),

the adjustment shall be in the amount awarded under section 118(1)(b) and shall be applied immediately before any reduction under section 123(6) or (7).”

#### **40 Interpretation of Part 3**

In this Part—

“employer” and “employee” have the same meanings as in the Employment Rights Act 1996 (c. 18);

“statutory procedure” means a procedure set out in Schedule 2.