
STATUTORY INSTRUMENTS

2010 No. 155

**The Employee Study and Training
(Procedural Requirements) Regulations 2010**

Complaint to employment tribunal

17.—(1) An employee may present a complaint to an employment tribunal that the employer has failed, or threatened to fail, to comply with regulation 16(2), (3), or (5).

(2) A tribunal must not consider a complaint under this regulation in relation to a failure or threat unless the complaint is presented—

- (a) before the end of the period of three months beginning with the date of the failure or threat; or
- (b) within such further period as the tribunal considers reasonable in a case where it is satisfied that it was not reasonably practicable for the complaint to be presented before the end of that period of three months.

(3) Where a tribunal finds that a complaint under this regulation is well-founded, it must order the employer to pay compensation to the worker of an amount not exceeding two weeks' pay.

(4) In applying Chapter 2 of Part 14 of the 1996 Act⁽¹⁾ (calculation of a week's pay) for the purposes of paragraph (3), the calculation date shall be taken to be the date on which the relevant meeting took place (or was to have taken place).

(5) The limit in section 227(1) of the 1996 Act⁽²⁾ (maximum amount of a week's pay) shall apply for the purposes of paragraph (3).

(1) In Chapter 2 of Part 14 of the 1996 Act, section 225 was amended by the Apprenticeships, Skills, Children and Learning Act 2009 (c.22), Schedule 1, paragraph 8 and section 227 was amended by the Apprenticeships, Skills, Children and Learning Act 2009 (c.22), Schedule 1, paragraph 9.

(2) Section 227(1) was amended by S.I. 2009/1903.