

Final stage impact assessment

Title: Employment Tribunals – Time Limits

Type of measure: Primary Legislation

Department or agency: Department for Business and Trade

IA number: DBT-048-24-CMRR

Contact for enquiries: ERDAnalysisEnquiries@businessandtrade.gov.uk

Date: 04/03/2025

1. Summary of proposal

1. The Government's plan to *Make Work Pay* included a commitment to increase the time limit within which employees can bring an employment claim to an Employment Tribunal (ET) to six months for the majority of claims, which currently have a time limit of three months. This would bring the time limit for the majority of claims in line with the time limit for statutory redundancy and equal pay claims. There are approximately 148 statutory employment rights subject to a three-month time limit for bringing a related complaint to an ET, which are contained within primary and secondary legislation. A full list of statutory rights being amended can be found in Annex A.
2. Increasing the time limit for claims is likely to simplify the ET system, reducing complexity and rigidity for employees navigating it. Tribunals already have some discretion to provide extensions where a tribunal judge considers it is 'just and equitable' and 'reasonable and practicable' to do so. Extending the time limit is expected to increase access to justice by providing a more realistic amount of time for the preparation of strong cases and raising of funds for legal costs. It could also save judicial time by reducing the number of time limit extension requests.

2. Strategic case for proposed regulation

3. The Government intervenes in the labour market to extend individual employment rights for efficiency and equity reasons. A well-functioning labour market, which provides necessary rights and protections, provides employees with high quality jobs while also empowering businesses to operate competitively.

4. In 2018/2019, the Law Commission ran a consultation on Employment Law Hearing Structures where consultees provided their views on any extensions of the time limit for making a complaint to employment tribunals, either generally or in specific types of cases. 62% of responses (69 respondents) thought that the three-month time limit should be increased in all types of cases, with respondents describing the current time limit as unrealistic in most cases. Consultees cited both harassment claims and pregnancy and maternity discrimination claims as particular cases which may benefit from extended time limits. In its final report, the Law Commission recommended increasing the current time limit for bringing all ET claims from three months to six months. The report highlighted that the rationale for a three-month time limit was due to the original intent of the tribunal as being a faster, more informal method of judicial determination than the civil court. However, claims are now far more complex and of higher value than they once were and there can be a significant delay between claim submission and a hearing. The Law Commission recommendations are based on changes without the need of a major restructuring of the employment tribunal, with the aim to reduce unnecessary inconsistencies that stem from the division of jurisdictions in discrimination and employment law.
5. Extending the time limit to six months for the majority of claims which are currently timed out at three months aims to simplify matters for all parties and is not expected to cause any practical problems. The change aims to facilitate access to justice for employees and provide clarity for employers as well. In making this recommendation, the Law Commission acknowledged the need for proper resourcing of ETs to address the outstanding caseload.
6. For employers, the six-month time limit intends to provide a longer window of opportunity for employers and employees to resolve the workplace dispute internally or conciliation, potentially reducing the need for a claim to be taken to tribunal.

3. SMART objectives for intervention

7. The policy aims to deliver the Government's commitment to extend ET time limits from three-months to six-months for the majority of claims which are currently subject to a three-month time limit, including those under the Equality Act 2010.
8. The objectives of this policy are to:
 - Simplify the time limits for making employment tribunal claims and improve access to justice.
 - Improve the system by giving employees more time and opportunity to pursue an employment tribunal claim, build a strong case and raise the funds to do this.
 - Promote conciliation by giving employees and employers more time to resolve disputes before they reach tribunal, potentially reducing the number of claims entering the system.
9. This measure will involve amending primary and secondary legislation to increase ET time limits to six months for employment rights that are currently subject to a three-month time limit. Most time limits are provided for in primary legislation. The Employment Rights Bill would amend the time limits in each relevant provision of primary legislation, and in some cases, secondary legislation. The time limits in secondary legislation will be amended separately, via statutory instruments. All of the changes will come into force at the same time, with a date to be confirmed.

4. Description of proposed intervention options and explanation of the logical change process whereby this achieves SMART objectives

10. The Government commitment is to extend all existing ET claim time limits which are three-months to six-months. This proposal will only amend the time limit for the majority of claims where there is currently a three-month time limit, it will not change the route to resolution. Claims with time limits of six months or more would not be affected by the change. This is to ensure greater parity across the majority of complaint jurisdictions.
11. Regarding enforcement, there will be no changes to the current enforcement regime as a result of extending the time limits for submitting claims to the tribunal. Judges will continue to be able to exercise their discretion to hear out of time claims on a case-by-case basis.
12. The six-month time limit will enhance the protection that employees receive from ETs to take forward claims related to workplace disputes. It would also give them more time and access to funds to pursue a claim. Increasing the time limit will help support employees to try to resolve workplace disputes internally or conciliate, gather better quality evidence for a claim, and it may encourage more people to enforce their rights where the short time limit may have dissuaded them. Overall, this measure is expected to improve access to justice.
13. A full logic model was developed to support this measure to ensure that the activities, outputs, short term outcomes and long term outcomes are understood. It also provides a list of assumptions and the evidence to support the links from initial activities to long term outcomes.

Table 1: Theory of change for the measure

Activities	Outputs	Short term Outcomes	Long term Outcomes
<p>1. Introduce legislation as part of the Employment Rights Bill to increase the time limit within which employees can bring an employment claim to an Employment Tribunal (ET) to six months for the majority of claims, which currently have a time limit of three months.</p> <p>2. Update existing gov.uk guidance for businesses and individuals</p>	<p>1. Extended the time limit for the majority of claimants to bring employment claims to an Employment Tribunal.</p>	<p>Intended outcomes:</p> <ol style="list-style-type: none"> 1. Increase access to justice by providing a more realistic amount of time for the preparation of strong cases and raising of funds for legal costs. 2. Reduction in the number of claims brought to tribunals as claimants use the extension to find resolutions internally 3. Reduction in the number of applications for extensions 4. Reduction in 'timed out' cases 5. Improved understanding by HR professionals of the new legislation 6. Increased perception among employees that the tribunal system is fair <p>Unintended outcomes:</p> <ol style="list-style-type: none"> 1. Increased costs for employers if there are new claims and if those claims are successful 	<p>Intended outcomes:</p> <ol style="list-style-type: none"> 1. Improved access to justice for cases where the 3-month limit had previously acted as a barrier. 2. A sustained reduction in the number of claims brought to Employment Tribunal. <p>Unintended outcomes:</p> <ol style="list-style-type: none"> 1. Improved reputation of employers who are not taken to employment tribunal.

Assumptions	<ol style="list-style-type: none"> 1. It is assumed that extending time limits from 3-months to 6-months will reduce barriers to access justice 2. It is assumed that the potential increase in cases brought to tribunals will be resourced by the HM Courts and Tribunals Service 3. It is assumed that the same proportion of employers will be able to afford legal representation
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Evidence of links	Activities to Outputs	1. Similar publication of proposed changes to employment tribunals and the outcome of a consultation on the matter with stakeholders has been done previously. ¹ It is anticipated that this will similarly be published on GOV.UK by the department with oversight over the legislative change.
	Outputs to short-term outcomes	1. There is evidence to suggest extending time limits could be beneficial for employees to access justice routes, including those bringing sexual harassment claims and pregnancy and maternity cases. ²
	Short-term outcomes to long-term outcomes	See above
	Long-term outcomes to impacts	See above

¹ Ministry of Justice. 'Introducing Fees in the Employment Tribunals and the Employment Appeal Tribunal'. 2024. [Link: <https://www.gov.uk/government/consultations/introducing-fees-in-the-employment-tribunals-and-the-employment-appeal-tribunal>]

² Office for Equality and Opportunity (formerly Government Equalities Office). 'Consultation on sexual harassment in the workplace: government response'. 2021. [Link: <https://www.gov.uk/government/consultations/consultation-on-sexual-harassment-in-the-workplace/outcome/consultation-on-sexual-harassment-in-the-workplace-government-response>]

5. Summary of long-list and alternatives

14. The time limits for taking a complaint to ET is set out in employment regulation. Non-regulatory options such as information campaigns, self-regulation or codes of practice have not been included as these could not achieve the policy aims and ensure employees have fair access to justice and appropriate protections from ETs. Improving access to justice in this instance can solely be accomplished through legislation, as it is the only viable approach to ensure the necessary legal framework and protections are established and enforced effectively.
15. The preferred option to extend the time limit for employment rights subject to three-month time limit to six months will be applied to businesses of all sizes, including small and micro businesses. This is in line with the principle that all employees should have fair access to justice, irrespective of the size of the organisation they work for.
16. Any exemption would undermine the policy objectives of this measure and violate the underlying principle that all workers have the right to better working practices and ability to enforce their rights no matter who they work for.
17. While it is recognised that smaller businesses may face disproportionate challenges due to their limited resources, this policy change aims to standardise time limits which will simplify and remove uncertainty in the system which will be beneficial for smaller businesses.
18. Government will continue to undertake comprehensive engagement on the implementation of Make Work Pay and the Bill, to ensure that these changes work for businesses of all sizes.

6. Description of shortlisted policy options carried forward

19. We have considered the impacts of two main options as set out below:

Option 0: Business as usual

In this option there is no change in the current system, keeping the current time limits for statutory employment rights to take a complaint to an Employment Tribunal.

Option 1: Extend Time Limits for claims

Increase the time limit within which employees can bring an employment complaint to an ET from three to six months for the majority of claims currently with a time limit of three months.

7. Regulatory scorecard for preferred option

Part A: Overall and stakeholder impacts

(1) Overall impacts on total welfare		Directional rating
Description of overall	This measure is intended to improve access to justice by extending the time limit to make a claim from three to six months. By extending time limits it will allow both	Uncertain

<p>expected impact</p>	<p>employers and employees more time for negotiations and conciliation, and claimants to seek redress.</p> <p>The impact on businesses is expected to be negative and driven by costs associated with additional early conciliation and tribunal cases, and familiarisation costs.</p> <p>Households are also expected to incur costs for taking claims forward but will have improved access to justice and potential redress.</p>	<p>Based on all impacts (incl. non-monetised)</p>
<p>Monetised impacts</p>	<p>Net Present Social Value (NPSV) of Option 1 is - £208.2m, over a 10-year period, taking effect in 2026. This captures impacts on businesses, workers and government from additional early conciliation and tribunal cases, as well as business familiarisation costs.</p>	<p>Negative Based on likely £NPSV</p>
<p>Non-monetised impacts</p>	<p>The monetised £NPSV does not include significant non-monetised benefits to businesses and employees or include indirect impacts associated with changes in employers' behaviour. The simplification of the system by standardising time limits, will remove confusion and uncertainty for all parties involved in a claim.</p> <p>It is likely this measure would produce a range of additional benefits from improved access to redress, particularly for some groups of people with protected characteristics.</p> <p>For example: (a) the Government's response to the consultation on sexual harassment in the workplace stated that sexual harassment time limits can be particularly difficult for pregnant women or new mothers as it is unlikely that starting legal proceedings will be of paramount concern during what is already a period of significant change in someone's life (b) The Law Commission found evidence that "bringing a claim in three months may be difficult for a significant number of claimants", citing both harassment claims and pregnancy and maternity discrimination claims as cases which may benefit from extended time limits.</p>	<p>Positive</p>
<p>Any significant or adverse distributional impacts?</p>	<p>There are no reasons to believe certain groups will be impacted differently.</p>	<p>Neutral</p>

(2) Expected impacts on businesses

Description of overall business impact	<p>There will be an initial familiarisation cost for business in understanding extended ET time limits for employment rights subject to a three-month time limit.</p> <p>There could also be ongoing costs associated with managing possible new claims due to ET time limits changing.</p> <p>However, extending time limits could allow for more cases to be resolved internally or informally.</p>	Uncertain
Monetised impacts	<p>Total £ Business NPV is expected to be -£117.4m over the 10-year appraisal period. Annual direct costs to businesses are estimated to be £13.6m. These costs include an estimated 5% increase in cases and an initial familiarisation cost of £13.1m.</p>	Negative Based on likely business £NPV
Non-monetised impacts	<p>The six-month time limit could provide a longer window of opportunity for employers and employees to resolve a workplace dispute internally and/or provide a longer period for conciliation.</p> <p>It is possible this measure could produce a range of additional benefits as businesses learn from any Tribunals and, as a consequence, staff increasingly feel that they were treated fairly.</p> <p>For example,</p> <p>(a) A 2017 analysis of the skills and employment survey found that “High levels of perceived fairness were associated with stronger work motivation, higher commitment to the organisation and a greater willingness to put in discretionary effort.”</p> <p>(b) An analysis of individuals’ happiness and productivity found that participants that were made to feel happier increased productivity by approximately 10-12%.</p> <p>These benefits are, nonetheless, difficult to monetise</p>	Uncertain
Any significant or adverse distributional impacts?	<p>We were unable to quantify the impact on different business’ sizes. However, small and micro businesses may face disproportionate challenges due to their limited resources. The policy aims to standardise time limits which will simplify and remove uncertainty in the system which will be beneficial for smaller businesses.</p>	Uncertain

(3) Expected impacts on households

Description of overall	<p>The measure to extend time limits for employment rights subject to a three-month time limit are intended to</p>	Positive
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household impact	<p>benefit the employee, giving them more time to make a claim through the ET system.</p> <p>It is possible with the additional time, there will be an increase in cases which will result in more cost to the employees.</p> <p>Extending time limits will allow greater access to justice and to seek redress.</p>	
Monetised impacts	Total £ Household NPV is expected to be -£45.3m over the 10-year appraisal period. This is based on annual direct cost of £5.3m. These costs include an estimated 5% increase in cases.	Negative Based on likely household £NPV
Non-monetised impacts	The current system with different time limits is often confusing to those involved in a claim. Standardising the time limit for claims is likely to simplify and improve the ET system, reducing complexity and rigidity for employees navigating it.	Positive
Any significant or adverse distributional impacts?	There are no reasons to believe that certain groups will be impacted differently.	Neutral

Part B: Impacts on wider Government priorities

Category	Description of impact	Directional rating
Business environment: Does the measure impact on the ease of doing business in the UK?	An extension of the time limits for the ET is unlikely to impact the business environment. There are no reasons to believe that Foreign Direct Investment, nor business dynamism, competition and innovation will be affected by changes in ET time limits.	Neutral
International Considerations: Does the measure support international trade and investment?	Trade and investment are not expected to be impacted by changes in the ET time limits.	Neutral
Natural capital and Decarbonisation: Does the measure support commitments to improve the	The extension of ET time limits will not impact natural capital and decarbonisation.	Neutral

environment and decarbonise?		
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8. Monitoring and evaluation of preferred option

20. The exact date for extending the time limit for the 148 statutory rights subject to a three-month limit is yet to be confirmed. Once a commencement date is set, a post-implementation review will be conducted 5 years after the regulatory provisions are in place. The review will include a literature/rapid evidence review to understand what academic reviews of the measure and its outcomes have been undertaken and engagement with businesses to understand the costs and impact from the measure.

21. We will monitor the policy impacts utilising existing data sources:

- Employment Tribunal statistics are published quarterly by the Ministry of Justice (MoJ). The data sets out the volume of claims processed and outstanding in the tribunal. These metrics should be useful to support the monitoring of the capacity of the tribunal itself in a timely manner.
- The Survey for Employment Tribunals (SETA) is conducted roughly every five years. This dataset could be used as a metric to monitor the experience of ET for claimants.
- Advisory, Conciliation and Arbitration Service (ACAS) annual reports: These reports provide useful and detailed information on the ACAS services. These also include statistics related to early conciliation of cases received, useful for an understanding of the cases that avoided the escalation to the ET.
 - Research also conducted by ACAS could illustrate a perspective of the Early Conciliation and ET journey. Primarily this will focus on the numbers of claimants going through the ET system and whether there has been a significant change from the time limit intervention.

9. Minimising administrative and compliance costs for preferred option

22. The extra time given to make a complaint will extend the time ET claims need to be notified and completed. This should ease any administrative burdens. Additionally, it allows for more comprehensive case preparation and documentation, potentially leading to more efficient and effective resolutions.

Declaration

Department:

Department for Business and Trade

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Minister responsible:

Minister for Employment Rights, Competition and Markets –
Justin Madders MP

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed:



Date:

04/02/2025

Summary: Analysis and evidence

Price base year:

2024

PV base year:

2026

	Option 0: Business as usual	Option 1: Preferred way forward (if not do-minimum)
<p>Net present social value (with brief description, including ranges, of individual costs and benefits)</p>	Used as baseline for analysis	<p>Net Present Social Value of Option 1 -£208.2m over a 10-year period to take effect in 2026.</p> <p>The Equivalent Annual Net Direct Cost to Business (EANDCB) is estimated to be -£13.6m</p> <p>The Equivalent Annual Net Direct Cost to Households (EANDCH) is estimated to be -£5.3m.</p>
<p>Public sector financial costs (with brief description, including ranges)</p>	Used as baseline for analysis	Annual recurring cost due to increased demand on government enforcement system is estimated to be £5.3m.
<p>Significant un-quantified benefits and costs (description, with scale where possible)</p>		Unquantified benefits include improved access to justice, a simplified system and greater confidence in the ET system for individuals. This IA only focuses on the extension of the time limits for rights subject to three-months.
<p>Key risks</p>	According to the latest available data, the average claim took 49 weeks to go from the claimant submitting the claim to final hearing. However,	We are aware of uncertainty in the data sources, particularly with Employment Tribunal data which has recently gone through some changes. We have used the best available

(and risk costs, and optimism bias, where relevant)

cases can take longer than a year to resolve and as such the number of open cases at the end of 23/24 stood at 33,000 single claims and 6,200 multiple claims. In March 2024, there was a case backlog of 444,446 cases. From 2017 to 2021, the employment tribunal backlog has continued to increase (from 271,990 to 506,896). Since 2022 the backlog is holding steady at 449,885 cases on average.

data, supplemented from feedback from policy and stakeholder consultations to inform the impact analysis.

The exact impact of extending time limits on the enforcement system is difficult to predict because the number of cases that enter the system each year fluctuates and the impact depends on behavioural factors, such as employers' willingness and ability to comply with regulation, and employees' willingness to bring forward a dispute. As such, our analysis at this stage is based on the current state of the system and the route a claimant takes. Therefore, it should be interpreted as illustrative as it will be refined in due course.

Evidence base

Problem under consideration, with business as usual, and rationale for intervention

23. Employment law governs the relationship between an employer and its employees. It ensures that employees are getting what they need from their employers in a fair, safe, equal, and appropriate manner, protecting both parties, outlining what employees can expect from their employers, and vice versa.
24. Statutory employment rights stem from a variety of employment legislation including:
- Employment Rights Act 1996
 - The Working Time Regulations 1998
 - National Minimum Wage Act 1998
 - Equality Act 2010
 - Employment Relations Act 1999 and
 - Trade Union and Labour Relations (Consolidation) Act 1992.
25. The enforcement of most individual rights relies on affected employees to bring a claim before an Employment Tribunal (ET).
26. Where a workplace dispute cannot be resolved internally, an employee may look to file a claim before the ET. However, the parties to a potential claim are usually first required to explore the possibility of early conciliation and should refer the dispute to the Advisory, Conciliation and Arbitration Service (ACAS) for early conciliation.
27. There are time limits for making a claim to an ET. In most cases, individuals will have up to three months less one day from the date the workplace dispute occurred³. The time limits are paused during early conciliation for up to a maximum of 6 weeks and claimants have a minimum of one calendar month after the conclusion of early conciliation to submit their claim to the employment tribunal.
28. There are strict tests for extending the time limit. Tribunals have some discretion to provide extensions where a tribunal judge considers it is 'just and equitable' and 'reasonable and practicable' to do so. Time limits and requests for extension can create complexity within the system which can be confusing for the parties involved.
29. There is evidence that claims have become more complex over time as the complexity of employment law has increased and that three months is an inadequate length of time to bring a claim⁴.

Rationale for Government Intervention

³ There are currently a few exceptions to this, if you are claiming redundancy pay or equal pay you have up to 6 months to make a claim, for instance.

⁴ Law Commission. 'Annual Report 2018-19'. 2019. [Link: https://cloud-platform-e218f50a4812967ba1215eaecede923f.s3.amazonaws.com/uploads/sites/30/2019/07/6.5613_LC_Annual-ReportAccounts-201819_WEB.pdf]

30. In 2018/2019, the Law Commission ran a consultation on Employment Law Hearing Structures⁵ to consider removing unnecessary anomalies, discrepancies and issues which arise from the demarcation of jurisdictions of discrimination and employment law; increase efficiency by ensuring that employment and discrimination cases are heard by best-equipped judges; and review whether the demarcation of jurisdictions and the restrictions on employment tribunals' jurisdiction are fit-for-purpose and in the interests of access to justice.
31. Consultees⁶ provided their views on any extensions of the time limit for making a complaint to ETs, either generally or in specific types of cases. 62% of responses (69 respondents) thought that the three-month time limit should be increased in all types of cases, with respondent describing the current time limit as unrealistic in most cases.
32. Consultees cited both harassment claims and pregnancy and maternity discrimination claims as particular cases which may benefit from extended time limits⁷. Evidence suggests women experiencing pregnancy and maternity discrimination face particular barriers to bringing claims within the time limit - parents are more likely to be focussed on preparing for, or caring for, a new baby, than pursuing a legal case.⁸ Additionally, there is evidence to suggest an extension may support those who are seeking to make claims for sexual harassment, given that the trauma experienced can be a delaying factor in considering recourse.⁹
33. The Law Commission report was published in April 2020 and contained 23 recommendations, including the time limit for bringing a claim should be six months for all tribunal claims¹⁰. The report highlighted that the rationale for a three-month time limit was due to the original intent of the tribunal as being a faster and a more informal method of judicial determination than the civil court. However, claims are now far more complex and of higher value than they once were.
34. Extending the time limit to six months for the majority of claims would simplify matters for all parties and is not expected to cause any practical problems. The change would facilitate access to justice for employees and provide clarity for employers as well. In making this recommendation, the Law Commission emphasised the need for proper resourcing of employment tribunals to address the outstanding caseload.
35. A combination of primary and secondary legislation is required to increase ET time limits from three months to six months across all existing legislation. Simplifying time limits will add consistency for prospective claimants and improve the system.

⁵ Law Commission. 'Employment Law Hearing Structures' 2020. [Link: <https://lawcom.gov.uk/project/employment-law-hearing-structures/>]

⁶ The consultation involved responses from professional membership organisations, government and public bodies, law firms, businesses, members of the judiciary, individuals and others. A full list of those involved in the consultation can be found in the Law Commission report.

⁷ Law Commission. 'Employment Law Hearing Structures' 2020. [Link: <https://lawcom.gov.uk/project/employment-law-hearing-structures/>]

⁸ Office for Equality and Opportunity (formerly Government Equalities Office). 'Consultation on sexual harassment in the workplace: government response'. 2021. [Link: <https://www.gov.uk/government/consultations/consultation-on-sexual-harassment-in-the-workplace/outcome/consultation-on-sexual-harassment-in-the-workplace-government-response>]

⁹ Office for Equality and Opportunity (formerly Government Equalities Office). 'Consultation on sexual harassment in the workplace: government response'. 2021. [Link: <https://www.gov.uk/government/consultations/consultation-on-sexual-harassment-in-the-workplace/outcome/consultation-on-sexual-harassment-in-the-workplace-government-response>]

¹⁰ The recommendations were developed based on feedback from 72 consultees who responded to the consultation paper published on 26th September 2018. The Law Commission's report summarises the feedback on their provisional proposals and questions and presents their recommendations for reform.

Policy objective

36. This policy aims to extend ET time limits from three-months to six-months for the majority of claims which are currently subject to a three-month time limit, including those under the Equality Act 2010.
37. The objectives of this policy are to:
- Simplify the time limits for making ET claims and improve access to justice.
 - Improve the system by giving employees more time and opportunity to pursue an employment tribunal claim, build a strong case and raise the funds to do this.
 - Promote conciliation by giving employees and employers more time to resolve disputes before they reach tribunal, potentially reducing the number of claims entering the system.
38. This will benefit employers by increasing the time within which workplace procedures and conciliation can be completed, creating an opportunity for more disputes to be resolved before they reach the ET, potentially removing pressure on the ET system in turn.
39. There will be no change to how measures are enforced as a result of changing the time limits for submitting an ET claim. Judges will continue to be able to exercise their discretion to hear out of time claims on a case-by-case basis.

Description of options considered

40. The time limits for taking a complaint to ET is set out in employment regulation. Non-regulatory options such as information campaigns, self-regulation or codes of practice have not been included as these could not achieve the policy aims and ensure employees have fair access to justice and appropriate protections from ETs.
41. This Impact Assessment considers two shortlist options:
- a. **Option 0 – Business as usual.** Maintain the current system with different time limits depending on the right related to the claim.
 - b. **Option 1 – Extend Time limits (preferred option).** To extend all statutory employment rights subject to a three-month time limit to be extended to a six-month time limit. This will put the statutory rights in line with equal pay and redundancy pay claims regarding time limits.

Summary and preferred option with description of implementation plan

42. The preferred option is to extend the time limit to make a claim for all employment rights currently subject to a three-month time limit. There are approximately 148 statutory employment rights subject to a three-month time limit for bringing a related complaint to an ET, which are contained within primary and secondary legislation. A full list of statutory rights being amended can be found at Annex A that accompanies this Impact Assessment.
43. The exact impact of extending time limits on the enforcement system is difficult to predict because the number of cases that enter the system each year fluctuates and the impact depends on behavioural factors, such as employers' willingness and ability to comply with regulation, and employees' willingness to bring forward a dispute. As such, our analysis at this stage is based on the current state of the system and the route a claimant takes. Therefore, it should be interpreted as illustrative, and we will continue to review and refine the analysis with further evidence in due course.

Option 0: Business as usual

44. In 2023/24 there were around 105,000 early conciliation notifications to ACAS¹¹, which led to around 35,000 ET claims¹² of which 6,500 cases required judicial time¹³.
45. In 2023/24, the Employment Tribunal system disposed of 31,000 single claim cases and 2,000 multiple cases¹⁴.
46. According to the latest available data, the average claim took 49 weeks to go from the claimant submitting the claim to final hearing¹⁵. However, cases can take longer than a year to resolve and as such the number of open cases at the end of 2023/24 stood at 33,000 single claims and 6,200 multiple claims. In March 2024, there was a case backlog of 444,446 cases. From 2017 to 2021, the employment tribunal backlog has continued to increase (from 271,990 to 506,896). Since 2022 the backlog is holding steady at 449,885 cases on average¹⁶.

Option 1: Extending Time Limits

47. By extending the time limit within which individuals can make a claim, this is likely to have three main effects:
- Claims that would currently be timed-out under the current system rules become eligible and may be taken forward.
 - Incentivise individuals that felt there was not sufficient time to make a claim to now come forward and make a claim.
 - Allow more time to mutually resolve disputes between employer and employee informally or make use of early conciliation before progressing a claim.
48. ACAS management information data (from April 2023 to July 2024) suggests around 5% of EC notifications are currently found to be potentially timed out under the three-month time limit. Using current volume of early conciliation notifications, this would equate to around 5,250 potential notifications per year that would be eligible with an extended time limit.

¹¹ ACAS. Acas annual report and accounts, 2023 to 2024. 2024. [Link:

<https://www.gov.uk/government/publications/acas-annual-report-and-accounts-2023-to-2024>]

¹² ACAS. Acas annual report and accounts, 2023 to 2024. Pg 28. 2024. [Link:

<https://www.gov.uk/government/publications/acas-annual-report-and-accounts-2023-to-2024>]

¹³ ACAS. Acas annual report and accounts, 2023 to 2024. Pg 28. 2024. [Link:

<https://www.gov.uk/government/publications/acas-annual-report-and-accounts-2023-to-2024>]

¹⁴ Ministry of Justice. 'Tribunal Statistics Quarterly: January to March 2024 - GOV.UK'. 2024. [Link:

<https://www.gov.uk/government/statistics/tribunals-statistics-quarterly-january-to-march-2024/tribunal-statistics-quarterly-january-to-march-2024#:~:text=Employment%20Tribunals,-Employment%20Tribunal%20single&text=In%202023%2F24%2C%20the%20Employment,the%20end%20of%20March%202024>]

¹⁵ They Work For You. 'Employment Tribunals Service'. 2023. [Link:

<https://www.theyworkforyou.com/wrans/?id=2023-01-26.133625.h&s=%22employment+tribunal%22#g133625.q0>]

¹⁶ Ministry of Justice. 'Tribunal Statistics Quarterly: January to March 2024 - GOV.UK'. 2024. [Link:

<https://www.gov.uk/government/statistics/tribunals-statistics-quarterly-january-to-march-2024/tribunal-statistics-quarterly-january-to-march-2024#:~:text=Employment%20Tribunals,-Employment%20Tribunal%20single&text=In%202023%2F24%2C%20the%20Employment,the%20end%20of%20March%202024>]

49. Based on current ACAS performance data, we would expect around 30% (1,750) early conciliation notifications to go onto submit an ET claim. A smaller proportion 22% of claims would require judicial time and progress to a hearing, judgment or strikeout. However, it is important to note the available data does not allow for further breakdown, limiting analysis on the type of cases which are currently timed out.
50. We also expect some new cases to enter the system as a longer time limit will allow individuals more time to prepare and make a claim. However, there is no available evidence or data on the number of individuals that are deterred from making a claim due to the three-month time limit.
51. This analysis assumes a 5% uplift in annual number of the early conciliation notifications. As we do not have evidence of changes in behaviour to reflect extended time limit, it is judged that the uplift captures both claims that are currently timed out in the system and the ongoing number of additional cases as a result of the longer time limit.

Costs to the Enforcement System (Government)

52. If we assume current performance trends to continue, 30% (1,750) early conciliation notifications will go on to submit an ET claim. In 2023/24 the cost of processing an individual conciliation case was £202¹⁷. We expect there to be around 5,250 additional early conciliation notifications from extending time limits. Our best estimate of the cost of processing a claim at ET is £2,400¹⁸. These figures are presented in Table 1 below.

Table 1: Additional claims entering the system

	Number of claims processed	Cost of processing an individual case	Total of claims multiplied by cost
ACAS	5,250	£202	£1.06m
ET	1,750	£2,400	£4.2m

53. Based on the above, we estimate the annual cost to **Government** could potentially be **£5.3m**.

Benefits (non-monetised)

54. Extending the time limits from three to six-months for making a claim will improve consistency across most employment rights and will standardise the current system. It could potentially save judicial time and the cost to government by reducing the number of time limit extension requests by claimants.

Costs and benefits to business calculations

One-off, Familiarisation costs

55. Business will need to familiarise themselves with the change in the time limits for individuals to take a claim to an Employment Tribunal. We assume a Cooperate Manager/Director in a small

¹⁷ ACAS. Acas annual report and accounts, 2023 to 2024. 2024. [Link:

<https://www.gov.uk/government/publications/acas-annual-report-and-accounts-2023-to-2024>]

¹⁸ Based on Introducing fees in the Employment Tribunals and the Employment Appeal Tribunal, Ministry of Justice (2024), the Average cost per case figure is estimated by dividing the total cost of the system in 2022/23, £80m, by the number of ET1 cases, 33,000, rounded to avoid giving false accuracy.

or micro business, and an HR Manager/Director in a medium or large business will conduct this familiarisation of the change. See 2 below.

56. As the time limit for claims is being standardised and should simplify the process, we expect the time to familiarise with this change will be limited and take between **10 and 30 minutes (with a central assumption of 20 minutes)**. All businesses shall be impacted by this measure.

Table 2: Summary of familiarisation costs

	Number of Employers ¹⁹	Employee Undertaking Familiarisation	Time Taken	Average (median) hourly pay ²⁰
All Businesses	1,376,870	1 HR or Cooperate Manager/Director	10-30 mins (central: 20 mins)	HR or Cooperate Manager / Director: £26.31

57. We uplift the average hourly pay by 21.0% to account for non-wage labour costs based on internal analysis of UK National Accounts.
58. We estimate the one-off cost to employers when familiarising themselves with the new requirement would be between **£7.3m to £18.1m (with a central estimate of £13.1m)**.

Cost of additional early conciliation notifications and Employment Tribunal cases (excluding settlements and awards)

59. By extending time limits, we expect additional cases for early conciliation and a subset of these to proceed to an ET. Businesses will need to manage these new cases.
60. The Survey of Employment Tribunal Applications (SETA) sets out costs incurred to business from engaging in early conciliation and ET. The 2018 SETA findings²¹ along with an ACAS Evaluation (2019)²² suggests around £6,000 in costs to an employer related with an ET and around £310 for early conciliation. These costs include time spent on a case by directors and staff, legal advice and representation.
61. Legal costs associated with ACAS claims and ET cases should only be counted as business costs when the business incurred the cost despite complying with the regulation.
62. For ACAS early conciliation, there isn't robust evidence on the share of claims raised against compliant businesses. Even in the event of a settlement, we cannot assume non-compliance as the business might have chosen to settle to avoid the case progressing to an ET. Given lack of reliable evidence, we have assumed that all ACAS claims are against compliant businesses for

¹⁹ Department for Business and Trade. 'Business population estimates for the UK and regions 2023: statistical release'. 2023. [Link: <https://www.gov.uk/government/statistics/business-population-estimates-2023/business-population-estimates-for-the-uk-and-regions-2023-statistical-release>]

²⁰ [Earnings and hours worked, occupation by four-digit SOC: ASHE Table 14](#), Office for National Statistics, October 2024. Provisional 2024 data. SOC code for Corporate Manager / Director is 11 and for HR Manager / Director is 1136. (last accessed 1st November 2024)

²¹ Department for Business and Trade. 'Survey of employment tribunal applications 2018'. 2020. [Link: <https://www.gov.uk/government/publications/survey-of-employment-tribunal-applications-2018>]

²² ACAS. 'Acas individual conciliation evaluation 2019'. 2024. [Link: <https://www.acas.org.uk/about-us/evaluations/acas-individual-conciliation-evaluation-2019>]

the purpose of this analysis. As such, the costs presented here should be seen as an upper estimate of the potential costs based on the evidence available.

63. For ET cases, we assume non-compliance for those cases where the claimant was successful at trial. The proportion of total ET cases that were successful at hearing is approximated using the latest data available²³ of 8%. This means 420 ACAS conciliation cases and 114 ET cases are estimated to be a result of non-compliance. It should be noted that the actual number of cases involving non-compliant businesses is likely to be higher. As such, the costs presented here should be seen as an upper estimate of the potential costs based on the evidence available.
64. We calculate the cost for business to handle the potential cases for early conciliation and a subset progressing to the ET.

Table 33: Potential additional cases and processing costs

	Number of claims	Total cost of processing an individual case ²⁴	Total cost
ACAS Early Conciliation	5,250	£310	£1.63m
Submit ET claim	1,750	£6,000	£10.5m

Costs of early conciliation settlements and ET awards

65. The proposed policy change will benefit individuals who achieve a settlement or a tribunal award.
66. Most employment disputes are settled without a tribunal case being raised. In the event of a settlement, we cannot assume non-compliance as the business might have chosen to settle to avoid the case progressing to an ET. Given lack of reliable evidence, it is difficult to estimate settlement amounts that should be counted as business costs.
67. The costs of ET awards resulting from the additional claims would primarily affect non-compliant employers and, as such, have not been included in the analysis of business costs.

Overall Business costs

68. The annual cost on businesses of handling additional claims is estimated to be around £12.1m each year.
69. The total business NPV is expected to be -£117.4 over the 10-year appraisal period. The **Equivalent Annual Net Direct Cost to Business (EANDCB)** is estimated to be **£13.6m**.

Benefits (non-monetised)

70. The six-month time limit could provide a longer window of opportunity for employers and employees to resolve the workplace dispute internally and/or provide a longer period for conciliation, which could potentially reduce the need for a claim to be taken to tribunal, saving time and costs for business. This extended period allows for more thorough discussions and

²³ Internal DBT Analysis of Assumptions

²⁴ Internal DBT Analysis of Assumptions

negotiations, increasing the likelihood of reaching a mutually agreeable resolution without the need for formal legal proceedings.

Impact on small and micro businesses

71. The preferred option is expected to be applied to businesses of all sizes, including small and micro businesses, in line with the principle that all workers can enforce their statutory rights and bring related complaints to an ET, irrespective of the size of the organisation they work for.
72. Any exemption would undermine the policy objectives of this measure and violate the underlying principle that all workers have the right to better working practices and ability to enforce their rights no matter who they work for.
73. While it is recognised that smaller businesses may face disproportionate challenges due to their limited resources, the broader societal benefits of increased job security and fairness in the labour market justify the policy's scope. Additionally, this policy change aims to standardise time limits which will simplify and remove uncertainty in the system which will be beneficial for smaller businesses.
74. The government will continue to undertake comprehensive engagement on the implementation of Make Work Pay and the Bill, to ensure that these changes work for businesses of all sizes.

Costs and benefits to households' calculations

Cost of additional early conciliation notifications and Employment Tribunal cases (excluding settlements and awards)

75. With extended time periods, it may incentivise individuals/employees that felt there was not sufficient time to make a claim to now come forward for early conciliation or and make an ET claim. The extended time will also allow more time to mutually resolve disputes between their employer informally or make use of early conciliation before progressing a claim.

Household representation

76. The evidence suggests that employees tend to act on their own behalf in most cases when making an ET claim.
77. Due to data constraints, the calculations for household financial cost may not be able to disentangle different representations. Therefore, we are unable to account for employees who represent themselves or have trade union representations accurately.
78. The annual ET data does show that the majority (59%) of claimants continue to be represented by a lawyer at ET, although nearly a third (31%) provided no representation information in 2023/24²⁵.
79. The costs of the ACAS early conciliation and ET cases that individuals incur depend on the number of claims that are submitted, and on the time and legal fees involved per case.

²⁵ Ministry of Justice. 'Tribunal Statistics Quarterly: April to June 2024'. 2024. [Link: [https://www.gov.uk/government/statistics/tribunals-statistics-quarterly-april-to-june-2024/tribunal-statistics-quarterly-april-to-june-2024#:~:text=In%202023%2F24%2C%20there%20were,mean\)%20award%20was%20%C2%A314%2C000.](https://www.gov.uk/government/statistics/tribunals-statistics-quarterly-april-to-june-2024/tribunal-statistics-quarterly-april-to-june-2024#:~:text=In%202023%2F24%2C%20there%20were,mean)%20award%20was%20%C2%A314%2C000.)]

80. Evidence from SETA 2018 and the ACAS evaluation 2019 suggest individuals face around £140 in costs for early conciliation and £2,600 for Employment Tribunals. These costs include representative costs, time spent on case, filling out forms, advice and representation and travel and communication.
81. We can calculate the costs faced by individuals from taking forward potential cases for early conciliation and a subset to progress to the ET.

Table 4: Potential additional cases and processing costs

	Number of claims	Total cost of processing an individual case	Total cost
ACAS Early Conciliation	5,250	£140	£735,000
Submit ET claim	1,750	£2,600	£4.5m

Early conciliation and ET Award settlements

82. The proposed policy change will benefit individuals who achieve a settlement or a tribunal award.
83. Most employment disputes are settled without a tribunal case being raised. Given lack of reliable evidence, it is difficult to estimate settlement amounts that individuals receive.
84. The compensations awarded by ETs, although are part of household benefits, represent a transfer from businesses to workers. Since this is essentially a redistribution of resources within the economy, it is not included in the impact assessment calculations.
85. To illustrate the level of compensation that households may be awarded, the ET statistics provide information about unfair dismissal and discrimination compensation. For instance, in the year of 2023/24, there were 650 claims awarded compensation for Unfair Dismissal, with a maximum award of £179,00 and an average of £14,000. Additionally, 270 discrimination cases received compensation, with the highest award being £995,000 in the Sex Discrimination jurisdiction²⁶.

Overall Household costs

86. The annual cost of additional claims to households is estimated to be around **£5.3m** each year.
87. The total household NPV is expected to be £45.4m over the 10-year appraisal period. The **Equivalent Annual Direct Cost to Households** (EANDCH) is estimated to be **£5.3m**.

Benefits (non-monetised)

88. Extending the time limit for making a claim will improve access to justice for and provide greater confidence in the ET system for individuals.

²⁶ Ministry of Justice. 'Tribunal Statistics Quarterly: April to June 2024'. 2024. [Link: [https://www.gov.uk/government/statistics/tribunals-statistics-quarterly-april-to-june-2024/tribunal-statistics-quarterly-april-to-june-2024#:~:text=In%202023%2F24%2C%20there%20were,mean\)%20award%20was%20%C2%A314%2C000.](https://www.gov.uk/government/statistics/tribunals-statistics-quarterly-april-to-june-2024/tribunal-statistics-quarterly-april-to-june-2024#:~:text=In%202023%2F24%2C%20there%20were,mean)%20award%20was%20%C2%A314%2C000.)]

Business environment

89. This measure will only extend the time limits of taking a claim to the ETs. This is not expected to add any significant burden to investment to UK businesses. It is also very unlikely there will be any major consequences to prices, competition, business dynamism and innovation.

Trade implications

90. This policy is not expected to have an impact on international trade and investment.

Environment: Natural capital impact and decarbonisation

91. This policy is not expected to have an impact on the environment. We expect that there is no or negligible impact on the environment, natural capital, and decarbonisation as a result of increasing the time limit for ET claims. The regulation does not directly relate to environmental or decarbonisation goals.

Other wider impacts (consider the impacts of your proposals)

92. The extension of ET time limits will enhance the overall employment enforcement landscape. Extending time limits should bring consistency across employment rights and simplify individual enforcement, whilst providing greater access to the justice system. However, we are aware of the existence of a current backlog in the ET system with a one year wait period, and the impacts of time limit extensions are uncertain but likely to add to the pressure to the system. DBT is committed to considering further improvements that can be made to the Acas and ET process to improve the system and support effective dispute resolution.

Public Sector Equality Duty (PSED)

93. This policy is expected to impact positively on employees across all protected characteristics as we assess that a longer time limit could help to eliminate unlawful discrimination, harassment and victimisation by ensuring legal redress is available in more cases. We do not expect any negative impacts as a result of extending the time limit for submitting a claim to the ET.

94. This policy will standardise the time limit for submitting a claim to the ET across the majority of complaint jurisdictions, resulting in a fairer system for employees across all protected characteristics.

Risks and assumptions

95. The impact of this measure is only assessed on the extension of time from three to six months of the statutory rights. We are aware of uncertainty in the data sources, particularly with ET data which has recently gone through some changes. We have used the best available data, supplemented with feedback from policy and stakeholder consultations to inform the impact analysis. We will seek further input to test the analysis and assumptions.

96. We also need to consider several risks, including potential behavioural changes among workers and employers. Workers might file more cases, and both parties could extend the length of conciliation, potentially affecting outcomes. Employers may face increased uncertainty and costs, and certain claims might be more likely to time out, creating additional risks. Furthermore, the existing backlog could exacerbate issues within the enforcement landscape.

97. A further risk is the extent to which ACAS, ETs and the wider enforcement system can handle the potential increase in case numbers they have to deal with. The system has a large backlog prior to the Employment Right's Bill coming into effect and so improvements in the system's efficiency and/or greater capacity will be required to enable it to operate and ensure that employees rights are enforced. Failure to increase the ability of the system to manage the expected increased caseload will reduce the benefit to employees as without enforcement there will be a higher number of noncompliant businesses.

Annex A

Annex A - Employment Tribunal Complaints Subject to 3-Month Time Limit

No	Statutory right/complaint	Time limit for complaint	Statutory provision dealing with early conciliation (see Acas early conciliation)	Primary or Secondary Legislation (Time Limit Provision)
1	Written particulars of employment (<i>sections 1 and 4, ERA 1996</i>)	3 months starting with date on which employment ceased* (<i>section 11(4), ERA 1996</i>)	Section 11(6), ERA 1996, applying section 207B	Primary
2	Breach of contract claim by employee	In the employment tribunal, 3 months starting with the <i>effective date of termination</i> (EDT) or if no EDT the last day on which the employee worked* (<i>article 7, Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994</i>).	Article 8B, Employment Tribunals Extension of Jurisdiction Order	Secondary
3	Right not to suffer detriment in relation to jury service (<i>section 43M, Employment Rights Act 1996 (ERA 1996)</i>)	3 months starting with date of (last) act or failure to act* (<i>section 48(3), ERA 1996</i>)	Section 48(4A), ERA 1996, applying section 207B	Primary
4	Right not to suffer detriment in relation to health and safety (<i>section 44, ERA 1996</i>)	3 months starting with date of (last) act or failure to act* (<i>section 48(3), ERA 1996</i>)	Section 48(4A), ERA 1996, applying section 207B	Primary
5	Right not to suffer detriment in relation to Sunday working (<i>section 45, ERA 1996</i>)	3 months starting with date of (last) act or failure to act* (<i>section 48(3), ERA 1996</i>)	Section 48(4A), ERA 1996, applying section 207B	Primary

6	Right not to suffer detriment for refusing to work additional hours on Sunday (section 45ZA, ERA 1996)	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	Section 48(4A), ERA 1996, applying section 207B	Primary
7	Right not to suffer detriment in relation to performing functions as a pension trustee (section 46, ERA 1996)	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	Section 48(4A), ERA 1996, applying section 207B	Primary
8	Right not to suffer detriment in relation to performing functions as an employee representative (collective redundancies and TUPE) (section 47, ERA 1996)	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	Section 48(4A), ERA 1996, applying section 207B	Primary
9	Right not to suffer detriment in relation to time off for study or training (section 47A, ERA 1996)	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	Section 48(4A), ERA 1996, applying section 207B	Primary
10	Right not to suffer detriment in relation to protected disclosures (section 47B, ERA 1996)	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	Section 48(4A), ERA 1996, applying section 207B	Primary
11	Right not to suffer detriment in relation to taking time off to care for dependants (section 47C, ERA 1996)	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	Section 48(4A), ERA 1996, applying section 207B	Primary
12	Right not to suffer detriment in relation to tax credits (section 47D, ERA 1996)	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	Section 48(4A), ERA 1996, applying section 207B	Primary
13	Right not to suffer a detriment for making a request for <i>flexible working</i> (section 47E, ERA 1996)	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	Section 48(4A), ERA 1996, applying section 207B	Primary
14	Right not to suffer detriment in relation to right to request study or training (section 47F, ERA 1996) (Note: This right is subject	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	Section 48(4A), ERA 1996, applying section 207B	Primary

	to the Small employers exemption.)			
15	Right not to suffer detriment for refusing to accept an offer to become an employee shareholder (section 47G, ERA 1996)	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	Section 48(4A), ERA 1996, applying section 207B	Primary
16	Right not to suffer detriment in relation to European Works Councils (regulation 31, Transnational Information and Consultation of Employees Regulations 1999 SI 1999/3323)	3 months starting with date of (last) act or failure to act* (<i>regulation 32(2)</i> , applying <i>section 48(2) to (4)</i> , ERA 1996)	Apparently no extension (regulation 32(2) applies section 48(2) to (4), ERA 1996 but not section 48(4A), which applies section 207B)	Secondary
17	Right not to suffer detriment in relation to information and consultation rights of employees (regulation 32, Information and Consultation of Employees Regulations 2004 SI 2004/3426)	3 months starting with date of (last) act or failure to act* (<i>regulation 33(2)</i>) (applying <i>section 48(2) to (4)</i> , ERA 1996)	Apparently no extension (regulation 32(2) applies section 48(2) to (4), ERA 1996 but not section 48(4A), which applies section 207B)	Secondary
18	Right not to suffer detriment in relation to information and consultation rights of pension scheme members (paragraph 7, Schedule 1, Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006 SI 2006/349)	3 months starting with date of (last) act or failure to act* (<i>paragraph 8(2)</i>) (applying <i>section 48(2) to (4)</i> , ERA 1996)	Apparently no extension (paragraph 8(2) applies section 48(2) to (4), ERA 1996 but not section 48(4A), which applies section 207B)	Secondary
19	Right not to suffer detriment in relation to information, consultation and negotiation rights of employees of European public limited liability companies (regulation 31, European Public Limited-Liability Company	3 months starting with date of (last) act or failure to act* (<i>regulation 32(2)</i>) (applying <i>section 48(2) to (4)</i> , ERA 1996)	Apparently, no extension (Regulation 32(2) applies section 48(2) to (4), ERA 1996 but not section 48(4A), which	Primary

	(Employee Involvement) (Great Britain) Regulations 2009 SI 2009/2401)		applies section 207B)	
20	Right not to suffer detriment in relation to automatic pension enrolment (section 55, Pensions Act 2008)	3 months starting with date of (last) act or failure to act* (<i>section 56(2), Pensions Act 2008</i>) (applying <i>section 48(2) to (4A), ERA 1996</i>)	Section 56(2), Pensions Act 2008, applying section 48(4A), ERA 1996, applying section 207B	Primary
21	Right not to suffer detriment in relation to right to be accompanied at a grievance or disciplinary hearing (section 12(1) Employment Relations Act 1999 (ERelA 1999))	3 months starting with date of (last) act or failure to act* (section 12(2) ERelA 1999, applying section 48, ERA 1996)	Section 12(2) ERelA 1999, applying section 48(4A), ERA 1996, applying section 207B	Primary
22	Right not to suffer detriment in connection with right to be accompanied at meetings to discuss study or training (regulation 18(1), Employee Study and Training (Procedural Requirements) Regulations 2010 (SI 2010/155))	3 months starting with date of (last) act or failure to act* (Regulation 18(2), Study and Training Regulations, applying section 48(3), ERA 1996)	Regulation 18(2), Study and Training Regulations, applying section 48(4A), ERA 1996, applying section 207B, ERA 1996	Secondary
23	Right to be accompanied at a grievance or disciplinary hearing (section 10, Employment Relations Act 1999)	3 months from date or threat of failure to comply* (section 11(2), ERelA 1999)	Section 11(2A) and (2B) ERelA 1999, applying section 207B, ERA 1996	Primary
24	Discrimination claims made under the Equality Act 2010 (EqA 2010) in relation to the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation	3 months starting with date of act complained of** (section 123, EqA 2010)	Section 140B, EqA 2010	Primary
25	Written reasons for dismissal (section 92, ERA 1996)	3 months starting with the <i>EDT*</i> (<i>section 93(3), ERA 1996</i> , interpreted in accordance with	Section 93(3), ERA 1996, interpreted in accordance with section 111(2A),	Primary

		<i>section 111(2), ERA 1996)</i>	applying section 207B	
26	Unfair dismissal (UD) under section 98, ERA 1996 for a reason related to: capability or qualifications, conduct, redundancy, a duty or restriction imposed by or under an enactment, "some other substantial reason"	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
27	UD for reasons relating to jury service (section 98B, ERA 1996)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
28	UD for a reason connected with pregnancy, childbirth, maternity, adoption, shared parental, carer's parental, paternity, parental bereavement or dependant care leave or time off to accompany ante-natal appointments or for adoption appointments (section 99, ERA 1996, regulation 20, Maternity and Parental Leave etc Regulations 1999 SI 1999/3312 (MPL Regulations) regulation 2, Paternity and Adoption Leave Regulations 2002 SI 2002/2788 (PAL Regulations) and regulation 43, Shared Parental Leave Regulations 2014 SI 2014/3050 (SPL Regulations))	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
29	UD for a reason connected with maternity, adoption, shared parental, carer's parental, paternity, parental bereavement or dependant care leave or time off to accompany ante-natal appointments or for adoption appointments	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary

	<i>(section 99, ERA 1996, regulation 20, MPL Regulations, regulation 2, Paternity and Adoption Leave Regulations 2002 SI 2002/2788 (PAL Regulations) and regulation 43, Shared Parental Leave Regulations 2014 SI 2014/3050 (SPL Regulations))</i>			
30	UD for a health and safety reason (section 100, ERA 1996)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
31	UD of a shop or betting worker for refusing to work on a Sunday (section 101, ERA 1996)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
32	UD of a shop or betting worker for refusing to work additional hours on a Sunday (section 101ZA, ERA 1996)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
33	UD for a reason connected with the Working Time Regulations 1998 SI 1998/1833 (section 101A, ERA 1996)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
34	UD for performing functions as an occupational pension trustee (section 102, ERA 1996)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
35	UD for performing functions as an employee representative (collective redundancies and TUPE) (section 103, ERA 1996)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
36	UD related to making a protected disclosure (section 103A, ERA 1996)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary

37	UD for asserting a statutory right (section 104, ERA 1996)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
38	UD in connection with entitlement to the national minimum wage (section 104A, ERA 1996)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
39	UD in connection with working tax credits (section 104B, ERA 1996)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
40	UD in connection with automatic pension enrolment under the Pensions Act 2008 (section 104D, ERA 1996)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
41	UD in connection with the right to request study or training (section 104E, ERA 1996) (Note: This right is subject to the Small employers exemption.)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
42	UD for a reason relating to a trade union blacklist (section 104F, ERA 1996)	3 months starting with EDT** (section 111(5))	Section 111(2A), ERA 1996, applying section 207B	Primary
43	UD for refusing to accept an offer to become an employee shareholder (section 104G, ERA 1996)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
44	UD for automatically unfair redundancy selection (section 105, ERA 1996)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary
45	UD relating to the performance of functions or activities of a member or representative (or candidate for election as a member or representative)	3 months starting with EDT* (<i>regulation 28(1), TICE Regulations</i> , effectively	Regulation 28, TICE Regulations, effectively applying section	Secondary

	of a European Works Council (regulation 28, Transnational Information and Consultation of Employees Regulations 1999 SI 1999/3323)	applying <i>section 111(2), ERA 1996</i>)	111(2A), ERA 1996, applying section 207B	
46	UD in connection with the rights of part-time workers (regulation 7(1), Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 SI 2000/1551)	3 months starting with EDT* (regulation 7(1) Part-time Workers Regulations, effectively applying section 111(2), ERA 1996)	Regulation 7(1) Part-time Workers Regulations, effectively applying section 111(2A), ERA 1996, applying section 207B	Secondary
47	UD in connection with the rights of fixed-term employees (regulation 6(1), Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002 SI 2002/2034)	3 months starting with EDT* (regulation 6(1), Fixed-term Employees Regulations, effectively applying section 111(2), ERA 1996)	Regulation 6(1) Fixed-term Employees Regulations, effectively applying section 111(2A), ERA 1996, applying section 207B	Secondary
48	UD relating to the performance of functions or activities of an information and consultation representative or candidate (regulation 30, Information and Consultation of Employees Regulations 2004 SI 2004/3426)	3 months starting with EDT* (regulation 30(1), ICE Regulations, effectively applying section 111(2), ERA 1996)	Regulation 30(1), ICE Regulations, effectively applying section 111(2A), ERA 1996, applying section 207B	Secondary
49	UD in connection with the information and consultation rights of pension scheme members (paragraph 5, Schedule 1, Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006 SI 2006/349)	3 months starting with EDT* (paragraph 5(1), Schedule 1, OPPS Regulations, effectively applying section 111(2), ERA 1996)	Paragraph 5(1), Schedule 1, OPPS Regulations, effectively applying section 111(2A), ERA 1996, applying section 207B	Secondary
50	UD in connection with the information, consultation and negotiation rights of employees of European public limited liability companies (regulation 29, European Public Limited-Liability Company (Employee Involvement)	3 months starting with EDT* (regulation 29(1), EPLLC Regulations, effectively applying section 111(2), ERA 1996)	Regulation 29(1), EPLLC Regulations, effectively applying section 111(2A), ERA 1996, applying section 207B	Secondary

	(Great Britain) Regulations 2009 SI 2009/2401)			
51	UD in connection with rights of agency workers (Regulation 17(1), Agency Workers Regulations 2010 SI 2010/93)	3 months starting with EDT* (regulation 17(1), Agency Workers Regulations, effectively applying section 111(2), ERA 1996)	Regulation 17(1), Agency Workers Regulations, effectively applying section 111(2A), ERA 1996, applying section 207B	Secondary
52	UD in connection with the right to be accompanied at disciplinary and grievance hearings (section 12(3), Employment Relations Act 1999)	3 months starting with EDT* (section 12(3), EReIA 1999, effectively applying section 111(2), ERA 1996)	<i>Section 12(3), EReIA 1999, effectively applying section 111(2A), ERA 1996, applying section 207B</i>	Primary
53	UD in connection with right to be accompanied at meetings to discuss study or training (regulation 18(3), Employee Study and Training (Procedural Requirements) Regulations 2010 SI 2010/155) (Note: This right is subject to the Small employers exemption.)	3 months starting with EDT* (regulation 18(3) Employee Study and Training Regulations, effectively applying section 111(2), ERA 1996)	Regulation 18(3) Employee Study and Training Regulations, effectively applying section 111(2A), ERA 1996, applying section 207B	Secondary
54	UD for "trade union" reasons (sections 152 and 153, TULRCA)	3 months starting with EDT* (sections 152 and 153, TULRCA, effectively applying section 111(2), ERA 1996)	Sections 152 and 153, TULRCA, effectively applying section 111(2A), ERA 1996, applying section 207B	Primary
55	UD in connection with trade union recognition under Schedule A1 to the, TULRCA (paragraphs 161 and 162, Schedule A1, TULRCA)	3 months starting with EDT* (paragraphs 161 and 162, Schedule A1, TULRCA, effectively applying section 111(2), ERA 1996)	<i>Paragraphs 161 and 162, Schedule A1, TULRCA, effectively applying section 111(2A), applying section 207B</i>	Primary

56	UD by reason of a business transfer (regulation 7, Transfer of Undertakings (Protection of Employment) Regulations 2006 SI 2006/246 (TUPE))	3 months starting with EDT* (regulation 7(1), TUPE, effectively applying section 111(2), ERA 1996)	<i>Regulation 7(1), TUPE, effectively applying section 111(2A), applying section 207B</i>	Secondary
57	Failure to comply with a compensation order made under regulation 15 (Regulation 15(10), TUPE)	3 months starting with date of tribunal's order* (regulation 15(12), TUPE)	Regulation 15(13), TUPE, applying regulation 16A	Secondary (REUL Act)
58	Failure by transferor to notify transferee of employee information (regulation 11, TUPE)	3 months starting with date of relevant transfer* (regulation 12(2), TUPE)	Regulation 12(2A), TUPE, applying regulation 16A	Secondary
59	UD because of a spent conviction (section 4(3)(b), Rehabilitation of Offenders Act 1974)	3 months starting with EDT* (section 111(2), ERA 1996)	<i>Section 111(2A), applying section 207B</i>	Primary
60	Right to paid time off for ante-natal care (<i>sections 55 and 56, ERA 1996</i>)	3 months starting with date of appointment* (section 57(2), ERA 1996)	Section 57(2A), ERA 1996, applying section 207B	Primary
61	Right to be offered alternative work before maternity suspension (section 67, ERA 1996)	3 months starting with first day of suspension* (section 70(5), ERA 1996)	Section 70(8), ERA 1996, applying section 207B	Primary
62	Right to be paid during maternity suspension (section 68, ERA 1996)	3 months starting with day in respect of which claim is made* (section 70(2), ERA 1996)	Section 70(8), ERA 1996, applying section 207B	Primary
63	Right to unpaid parental leave (regulations 13 and 14, Maternity and Parental Leave etc. Regulations 1999)	3 months from when employer refuses right* (section 80(2), ERA 1996)	Section 80(2A), applying section 207B	Primary

64	Right to unpaid time off to care for dependants (section 57A, ERA 1996)	3 months starting with date of refusal* (section 57B(2), ERA 1996)	Section 57B(2A), ERA 1996, applying section 207B	Primary
65	Right not to suffer detriment in relation to pregnancy, childbirth, maternity, maternity leave, adoption leave, paternity leave, parental leave, or time off for dependants (section 47C, ERA 1996)	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	Section 48(4A), ERA 1996, applying section 207B	Primary
66	Right to request flexible working (section 80F, ERA 1996)	3 months starting with "relevant date"* (section 80H(5), ERA 1996)	Section 80H(7), ERA 1996, applying section 207B	Primary
67	Right not to suffer detriment in relation to right to request flexible working (section 47E, ERA 1996)	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	Section 48(4A), ERA 1996, applying section 207B	Primary
68	Rights on insolvency of employer (section 182, ERA 1996)	3 months starting with date of communication of Secretary of State's decision* (section 188(2), ERA 1996)	N/A	Primary
69	Complaint that Secretary of State has not paid a sum in respect of the unpaid pensions contributions of an insolvent employer (section 126(1), Pension Schemes Act 1993)	3 months starting with date on which the Secretary of State's decision was communicated to the person(s) presenting it* (section 126(2), Pension Schemes Act 1993)	N/A	Primary
70	Right not to be treated less favourably because of part-time status (regulation 5, Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000)	3 months from date of less favourable treatment** (regulation 8(2), PTW Regulations)	Regulation 8(2A), PTW Regulations, applying regulation 8A	Secondary

71	Right not to suffer detriment in relation to part-time working (regulation 7(2), PTW Regulations)	3 months starting with date of last act or failure to act** (regulation 8(2), PTW Regulations)	Regulation 8(2A), PTW Regulations, applying regulation 8A	Secondary
72	Right not to be treated less favourably because of fixed-term status (regulation 3, Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002 SI 2002/2034)	3 months from date of less favourable treatment** (regulation 7(2)(a), FTE Regulations)	Regulation 7(2A), FTE Regulations, applying regulation 7A	Secondary
73	Right not to suffer detriment in relation to fixed-time working (regulation 6(2) FTE Regulations)	3 months starting with date of last act or failure to act** (regulation 7(2)(a), FTE Regulations)	Regulation 7(2A), FTE Regulations, applying regulation 7A	Secondary
74	Right of fixed-term employee to be informed by employer of permanent vacancies (regulation 3(6), FTE Regulations)	3 months from last date on which other individuals, whether or not employees of employer, were informed of vacancy** (regulation 7(2)(b), FTE Regulations)	Regulation 7(2A), FTE Regulations, applying regulation 7A	Secondary
75	Right to paid time off for ante-natal care for agency workers (<i>sections 57ZA and 57ZB, ERA 1996</i>)	3 months starting with date of appointment* (section 57ZC(3), ERA 1996)	Section 57ZC(3A), ERA 1996, applying section 207B	Primary
76	Right of agency workers to be offered alternative work where supply to hirer is ended on maternity grounds (section 68B, ERA 1996)	3 months starting with day on which supply of agency worker to hirer was ended on maternity grounds* (section 70A(5), ERA 1996)	Section 70A(7A), ERA 1996, applying section 207B	Primary
77	Right of agency workers to be paid where supply to hirer is ended on maternity grounds (section 68C, ERA 1996)	3 months starting with day on which supply of agency worker to hirer was ended on maternity grounds* (section 70A(2), ERA 1996)	Section 70A(7A), ERA 1996, applying section 207B	Primary

78	Right of agency worker to basic working and employment conditions (regulation 5, Agency Workers Regulations 2010 SI 2010/93)	3 months from date of breach to which complaint relates** (regulation 18(4)(b), Agency Workers Regulations)	Regulation 18(4A), Agency Workers Regulations, applying regulation 18A	Secondary
79	Right of agency worker not to be treated less favourably in relation to collective facilities and amenities (regulation 12, Agency Workers Regulations)	3 months from date of breach to which complaint relates** (regulation 18(4)(a), Agency Workers Regulations)	Regulation 18(4A), Agency Workers Regulations, applying regulation 18A	Secondary
80	Right of agency worker to be informed of vacant posts (regulation 13, Agency Workers Regulations)	3 months starting with (last) date on which other individuals were informed of vacancy** (regulation 18(4)(b), Agency Workers Regulations)	Regulation 18(4A), Agency Workers Regulations, applying regulation 18A	Secondary
81	Right not to suffer detriment in connection with rights of agency workers (regulation 17(2), Agency Workers Regulations)	3 months from date of breach to which complaint relates** (regulation 18(4)(a), Agency Workers Regulations)	Regulation 18(4A), Agency Workers Regulations, applying regulation 18A	Secondary
82	Right not to suffer a detriment for breaching an exclusivity term in a zero hours contract (regulation 2, Exclusivity Terms in Zero Hours Contracts (Redress) Regulations 2015 (SI 2015/2021))	3 months from the date of the act or failure to act to which complaint relates, or, where act is part of a series, the last of them.** (reg 3 (2) Exclusivity Terms in Zero Hours Contracts (Redress) Regulations)	Regulation 3(2A), Exclusivity Terms in Zero Hours Contracts (Redress) Regulations, applying regulation 3A	Secondary
83	Right not to be subjected to a detriment for breach of an exclusivity term in the contract of an employee or worker whose net average weekly wages do not exceed the <i>lower earnings limit</i> (regulation 7(2), Exclusivity Terms for Zero	3 months from the date of the act or failure to act to which the complaint relates, or where that act or failure is part of a series of similar acts or	<i>Regulation 8(2A), Exclusivity Terms for Zero Hours Workers (Unenforceability and Redress) Regulations</i>	Secondary

	Hours Workers (Unenforceability and Redress) Regulations 2022 (SI 2022/1145))	failures, the last of them.**(regulation 8 (2) Exclusivity Terms for Zero Hours Workers (Unenforceability and Redress) Regulations)	2022, applying regulation 8A	
84	Right to paid time off to look for work or arrange training where notice of dismissal by reason of redundancy has been given (sections 52(1) and 53(1), ERA 1996)	3 months starting with day time off should have been allowed* (section 54(2), ERA 1996)	Section 54(2A), ERA 1996, applying section 207B	Primary
85	Failure to pay remuneration under protective award (section 190, TULRCA)	3 months starting with last day in respect of which complaint is made* (section 192(2), TULRCA)	Section 192(2A), TULRCA, applying section 292A	Primary
86	Consultation with appropriate representatives over proposed collective redundancies (section 188, TULRCA)	Either before dismissal or 3 months starting with date on which dismissal takes effect* (section 189(5), TULRCA)	Section 189(5A), TULRCA, applying section 292A	Primary
87	Right to unpaid time off for public duties (section 50, ERA 1996)	3 months from date of failure to give time off* (section 51(2), ERA 1996)	Section 51(2A), ERA 1996, applying section 207B	Primary
88	Right to unpaid time off to care for dependants (section 57A, ERA 1996)	3 months starting with date when refusal occurred* (section 57B(2), ERA 1996)	Section 57B(2A), ERA 1996, applying section 207B	Primary
89	Right to paid time off for pension scheme trustees (sections 58 and 59, ERA 1996)	3 months starting with date when failure occurred* (section 60(2), ERA 1996)	Section 60(2A), ERA 1996, applying section 207B	Primary
90	Right to paid time off for employee representatives (collective redundancies and TUPE) (sections 61 and 62, ERA 1996)	3 months starting with day time off taken or on which time off should have been allowed*	Section 63(2A), ERA 1996, applying section 207B	Primary

		(section 63(2), ERA 1996)		
91	Right to paid time off for young person in Wales or Scotland for study or training (sections 63A and 63B, ERA 1996)	3 months starting with day time off taken or on which time off should have been allowed* (section 63C(2), ERA 1996)	Section 63C(2A), ERA 1996, applying section 207B	Primary
92	Right to request study or training (section 63D, ERA 1996) (Note: This right is subject to the Small employers exemption.)	3 months starting with "relevant date"* (section 63I(5), ERA 1996) (Note: For these purposes, the relevant date means (a) the date on which the employee is notified of the employer's decision on the appeal or (b) the date on which the breach was committed (section 63I(5)a) and (6), ERA 1996).	Section 63I(7), ERA 1996, applying section 207B	Primary
93	Right to be accompanied at a meeting to discuss study or training (regulation 16, Employee Study and Training (Procedural Requirements) Regulations 2010 SI 2010/155) (Note: This right is subject to the Small employers exemption.)	3 months starting with date or threat of failure to comply* (regulation 17(2), Employee Study and Training Regulations)	Regulation 17(2A), Employee Study and Training Regulations, applying regulation 17A	Secondary
94	Right to paid time off for representatives of employee safety and for candidates standing for election as such a representative (Health and Safety (Consultation with Employees) Regulations 1996 SI 1996/1513)	3 months starting with date when failure occurred* (paragraph 3, Schedule 2 Health and Safety Regulations)	Paragraph 3A, Schedule 2 Health and Safety Regulations	Secondary

95	Right to paid time off for safety representatives (Safety Representatives and Safety Committees Regulations 1977 SI 1977/500)	3 months starting with date when failure occurred* (regulation 11(2), Safety Representatives Regulations)	Regulation 11(2A), Safety Representatives Regulations, applying regulation 12	Secondary
96	Right to paid time off for members of a European Works Council (regulations 25 and 26, Transnational Information and Consultation of Employees Regulations 1999 SI 1999/3323)	3 months starting with day time off taken or on which time off should have been allowed* (regulation 27(2), TICE Regulations)	Regulation 27(2A), TICE Regulations, applying regulation 27A	Secondary
97	Right to paid time off for information and consultation representatives (regulations 27 and 28, Information and Consultation of Employees Regulations 2004 SI 2004/3426)	3 months starting with day time off taken or on which time off should have been allowed* (regulation 29(2), ICE Regulations)	Regulation 29(2A), ICE Regulations, applying regulation 29A	Secondary
98	Right to paid time off in connection with the information and consultation rights of pension scheme members (paragraphs 2 and 3, Schedule 1, Occupational and Personal Pension Schemes (Consultation by Employers and Miscellaneous Amendment) Regulations 2006 SI 2006/349)	3 months starting with day time off taken or on which time off should have been allowed* (paragraph 4(2), Schedule 1 OPSS Regulations)	Paragraph 4(2A), Schedule 1 OPSS Regulations, applying paragraph 4A	Secondary
99	Right to paid time off in connection with the information, consultation and negotiation rights of employees of European public limited liability companies (regulations 26 and 27, European Public Limited-Liability Company (Employee Involvement) (Great Britain) Regulations 2009 SI 2009/2401)	3 months starting with day time off taken or on which time off should have been allowed* (regulation 28(2), EPLLC Regulations)	Regulation 28(2A) EPLLC Regulations, applying regulation 28A	Secondary
100	Right to time off to accompany a fellow worker at a grievance or disciplinary hearing (section 10(6), Employment Relations Act 1999)	3 months starting with date or threat of failure to comply* (section 10(7) ERelA 1999, applying section	Section 10(7) ERelA 1999, applying section 171(2), TULRCA, applying	Primary

		171(1), TULRCA)	section 292A, TULRCA	
101	Right not to suffer detriment in relation to trade union membership or activities (section 146, TULRCA)	3 months starting with date of (last) act or failure to act* (section 147(1), TULRCA)	Section 147(4), TULRCA, applying section 292A	Primary
102	Right not to suffer detriment in relation to trade union recognition or derecognition (paragraph 156, Schedule A1, TULRCA)	3 months starting with date of (last) act or failure to act* (paragraph 157(1), Schedule A1, TULRCA)	Paragraph 157(4), Schedule A1, TULRCA, applying section 292A	Primary
103	Unjustifiable discipline by union (sections 64 to 66, TULRCA)	3 months starting with date of union's decision**** (section 66(2), TULRCA)	Section 66(2A), TULRCA, applying section 292A	Primary
104	Unauthorised deduction of union subscriptions (section 68, TULRCA)	3 months starting with date of payment* (section 68A(1), TULRCA)	Section 68A(1A), TULRCA, applying section 292A	Primary
105	Right to paid time off for union duties including union learning (sections 168 to 169, TULRCA)	3 months starting with date when failure occurred* (section 171(1), TULRCA)	Section 171(2), TULRCA, applying section 292A	Primary
106	Right to unpaid time off for union activities (section 170, TULRCA)	3 months starting with date when failure occurred* (section 171(1), TULRCA)	Section 171(2), TULRCA, applying section 292A	Primary
107	Refusal of employment on grounds related to union membership (section 137, TULRCA)	3 months starting with date of conduct complained of* (section 139(1), TULRCA)	Section 139(4), TULRCA, applying section 292A	Primary
108	Refusal of services of employment agency on grounds related to union membership (section 138, TULRCA)	3 months starting with date of conduct complained of* (section 139(1), TULRCA)	Section 139(4), TULRCA, applying section 292A	Primary

109	Complaint by trade union over employer's failure to comply with collective bargaining obligations regarding training (section 70B, TULRCA)	3 months starting with date of alleged failure* (section 70C(2), TULRCA)	Section 70C(2A), TULRCA, applying section 292A	Primary
110	Complaint about either a wrongful deduction of contributions to a union political fund, or a refusal to deduct union dues (section 86, TULRCA)	3 months beginning with date of payment of emoluments* (section 87(2), TULRCA)	Section 87(2A), TULRCA, applying section 292A	Primary
111	Complaint by worker about inducements relating to trade union membership or activities, or to collective bargaining (sections 145A to 145B, TULRCA)	3 months beginning when offer, or last offer, was made* (section 145C(1), TULRCA)	Section 145C(2), TULRCA, applying section 292A	Primary
112	Right not to be refused employment or the services of an employment agency for a reason that relates to a trade union blacklist (regulations 5 and 6, Employment Relations Act 1999 (Blacklists) Regulations 2010 SI 2010/493)	3 months starting with date of conduct complained of** (regulation 7(1))	Regulation 7(1A), applying regulation 18	Secondary
113	Right not to suffer detriment in relation to a trade union blacklist (regulation 9, Employment Relations Act 1999 (Blacklists) Regulations 2010 SI 2010/493)	3 months starting with date of (last) act or failure to act** (regulation 10(1), Blacklists Regulations)	Regulation 10(1A), Blacklists Regulations, applying regulation 18	Secondary
114	Failure to consult with appropriate representatives over a business transfer (regulation 13, Transfer of Undertakings (Protection of Employment) Regulations 2006 SI 2006/246 (TUPE))	3 months starting with date of completion of transfer* (regulation 15(12), TUPE)	Regulation 15(13), TUPE, applying regulation 16A	Secondary
115	Failure by transferor to notify transferee of employee information (regulation 11, TUPE)	3 months starting with date of relevant transfer* (regulation 12(2), TUPE)	Regulation 12(2A), TUPE, applying regulation 16A	Secondary
116	Failure to comply with a compensation order made under regulation 15 (Regulation 15(10), TUPE)	3 months starting with date of tribunal's order* (regulation 15(12), TUPE)	Regulation 15(13), TUPE, applying regulation 16A	Secondary

117	Failure to allow access to records relating to national minimum wage (sections 9 to 11, National Minimum Wage Act 1998)	3 months after period of 14 days (longer if agreed) following receipt of production notice * (section 11(3) and (4), NMWA)	Section 11(4A), applying section 11A	Primary
118	Right not to suffer detriment in relation to national minimum wage (section 23, NMWA)	3 months starting with date of last act or failure to act* (section 24(2), NMWA, effectively applying section 48(3), ERA 1996)	Section 24(2) NMWA, effectively applying section 48(4A), ERA 1996, applying section 207B	Primary
119	Itemised pay statement (section 8, ERA 1996)	3 months starting with date on which employment ceased* (section 11(4), ERA 1996)	Section 11(6), ERA 1996, applying section 207B	Primary
120	Unlawful deduction from wages (sections 13, 15, 18 and 20, ERA 1996)	3 months from date of (last) deduction or (last) payment to employer* (section 23(2), ERA 1996)	Section 23(3A), ERA 1996, applying section 207B	Primary
121	Right not to have to make payments to employer (section 15 ERA 1996)	3 months from date of (last) deduction or (last) payment to employer* (section 23(2), ERA 1996)	Section 23(3A), ERA 1996, applying section 207B	Primary
122	Guarantee pay (section 28, ERA 1996)	3 months starting with day for which payment claimed* (section 34(2), ERA 1996)	Section 34(2A), ERA 1996, applying section 207B	Primary
123	Requirements and limits related to demands for payment made to retail workers due to cash shortage/stock deficiency (section 20 and 21 ERA 1996).	3 months from date of (last) deduction or (last) payment to employer* (section 23(2), ERA 1996)	Section 23(3A), ERA 1996, applying section 207B	Primary
124	Medical suspension pay (section 64, ERA 1996)	3 months starting with day in respect of which claim is made* (section 70(2), ERA 1996)	Section 70(8), ERA 1996, applying section 207B	Primary

125	Right to daily rest (regulation 10, Working Time Regulations 1998 SI 1998/1833 (WTR))	3 months from date when right should have been permitted* (regulation 30(2), WTR)	Regulation 30B, WTR	Secondary
126	Right to weekly rest (regulation 11, WTR)	3 months from date when right should have been permitted (or, if rest period extended over more than one day, date when right should have been permitted to begin)* (regulation 30(2), WTR)	Regulation 30B, WTR	Secondary
127	Right to rest breaks (regulation 12, WTR)	3 months from date when right should have been permitted* (regulation 30(2), WTR)	Regulation 30B, WTR	Secondary
128	Right to compensatory rest in case where the above regulations are modified or excluded (regulation 24, WTR)	3 months from date when right should have been permitted* (regulation 30(2), WTR)	Regulation 30B, WTR	Secondary
129	Right to paid annual leave (regulations 13 and 16, WTR)	3 months from date when right should have been permitted (or, if leave extended over more than one day, date when right should have been permitted to begin)* (regulation 30(2), WTR)	Regulation 30B, WTR	Secondary
130	Right to payment in lieu of holiday on termination of employment (regulation 14(2), WTR)	3 months from date payment should have been made* (regulation 30(2), WTR)	Regulation 30B, WTR	Secondary
131	Right not to suffer detriment in relation to working time (section 45A, ERA 1996)	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	<i>Section 48(4A), ERA 1996, applying section 207B</i>	Primary

132	Right to paid annual leave for persons employed or engaged on board a sea-going UK ship (regulation 15, Merchant Shipping (Maritime Labour Convention) (Hours of Work) Regulations 2018/58)	3 months starting with day time off should have been permitted or payment should have been made* (regulation 26(2) and (6) Merchant Shipping (MLC) (Hours) Regulations)	Regulation 27, Merchant Shipping (MLC) (Hours) Regulations	Secondary
133	Right to rest periods and paid annual leave for workers employed on ships operating services for passengers or goods (regulations 10(1), (3) and 11(1), Merchant Shipping (Working Time: Inland Waterways) Regulations 2003 SI 2003/3049)	3 months starting with day exercise of the right should have been permitted or payment should have been made* (regulation 18(2), Merchant Shipping (Working Time: Inland Waterways) Regulations)	Regulation 18(2A), Merchant Shipping (Working Time: Inland Waterways) Regulations, applying regulation 18A	Secondary
134	Right to rest periods and paid annual leave for workers employed on fishing vessels (regulations 7(1), (3), (4) and 11(1) of the Fishing Vessels (Working Time: Seafishermen) Regulations 2004 SI 2004/1713)	3 months starting with day exercise of the right should have been permitted or payment should have been made* (regulation 19(2), Fishing Vessels Regulations)	Regulation 19(2A) Fishing Vessels Regulations, applying regulation 19A	Secondary
135	Right to paid annual leave and free health assessments etc (regulations 4, 5(1), (4), 7(1) and (2)(b), Civil Aviation (Working Time) Regulations 2004 SI 2004/756)	3 months starting with day exercise of the right should have been permitted or payment should have been made* (regulation 18(2) Civil Aviation Regulations)	Regulation 18(2A) Civil Aviation Regulations, applying regulation 19	Secondary
136	Right to rest periods for workers assigned to cross-border train services (regulations 3 to 7, Cross-border Railway Services (Working Time) Regulations 2008 SI 2008/1660)	3 months starting with date the appointment ended* (regulation 17(2), Cross-border Railway Services Regulations)	Regulation 17(2A) Cross-border Railway Services Regulations, applying regulation 17A	Secondary

137	Right to complain to ET if employer has unreasonably postponed or prevented carer's leave (80N (1) ERA 1996)	3 months starting with date of matter complained of Sch 1 para 2 80N (2) *	Early conciliation extension - 80N (3) applying Section 207B	Primary
138	Right to present complaint to ET that employer has failed to provide policy or records related to tips- 27N(1) ERA 1996	3 months beginning with date of failure to comply 27N(2) ERA 1996*	Early conciliation extension 27N(4) ERA 1996 applying Section 207B	Primary – Not yet in force – added by Employment (Allocation of Tips) Act 2023
139	Right to complaint to ET against NHS employer if NHS employer discriminates against applicant because applicant has made a protected disclosure (regulation 4 Employment Rights Act 1996 (NHS Recruitment - Protected Disclosure) Regulations 2018/579)	3 months beginning with date of conduct to which complaint relates (regulation 5 (1) Employment Rights Act 1996 (NHS Recruitment - Protected Disclosure) Regulations 2018/579)**	Early conciliation section not applied to section	Secondary
140	Right to make complaint for workers (except agency workers) in relation to employer not complying with requirements related right to request predictable working pattern (80ID (1) ERA 1996)	3 months beginning with relevant date ((80ID (6) ERA 1996)*	Early conciliation extension- 80ID (8) ERA 1996 applies Section 207A(3) and section 207B	Primary - Not yet in force
141	Agency workers - right to make complaint for workers in relation to employer not complying with requirements related to right to request predictable working pattern (80IJ (1) ERA 1996)	3 months beginning with relevant date ((80IJ(6) ERA 1996)*	Early conciliation extension- 80IJ (8) ERA 1996 applies section 207B	Primary - Not yet in force
142	Right to make complaint in relation to refusal of employer of request for time off to accompany woman to ante-natal care appointment (57ZF, 57ZE ERA 1996)	3 months beginning with date of appointment 57ZF (2) ERA 1996 *	Early conciliation extension - 57ZF (3) ERA 1996 applies Section 207A(3) and section 207B	Primary
143	Agency workers - Right to make complaint in relation to refusal of employer of request for time off to accompany woman to ante-natal care	3 months beginning with date of appointment 57ZH(3) ERA 1996*	Early conciliation extension - 57ZH (4) ERA 1996 applies Section	Primary

	appointment (57ZG, 57ZH ERA 1994)		207A(3) and section 207B	
144	Right to make complaint in relation to refusal of employer of request for time off for adoption appointments (57ZL, 57ZM ERA 1996)	3 months beginning with date of appointment 57ZM(2) ERA 1996*	Early conciliation extension - 57ZM (3) ERA 1996 applies Section 207A(3) and section 207B	Primary
145	Agency workers - Right to make complaint in relation to refusal of employer of request for time off for adoption appointments (57ZN, 57ZP ERA 1996)	3 months beginning with date of appointment - 57ZQ (3) ERA 1996*	Early conciliation extension - 57ZQ (4) ERA 1994 applies section 207B	Primary
146	Right not to suffer detriment in relation to request for predictable working pattern (section 47EA 1996)	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	Section 48(4A), ERA 1996, applying section 207B	Primary - Not yet in force
147	Agency workers – right not to suffer detriment in relation to request for predictable working pattern (section 47EB 1996)	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	3 months starting with date of (last) act or failure to act* (section 48(3), ERA 1996)	Primary - Not yet in force
148	UD for exercising right to make application for flexible working (section 104C ERA 1996)	3 months starting with EDT* (section 111(2), ERA 1996)	Section 111(2A), ERA 1996, applying section 207B	Primary

Sources: Tribunal complaints: time limits, early conciliation extension and qualifying periods by *Practical Law Employment/Westlaw*

Notes: Asterisks denote information on the employment tribunal's ability to grant an extension of the relevant time limit:

* Employment tribunal can extend time limit where it considers that it was “not reasonably practicable” to present the complaint in time.

** Employment tribunal can extend time limit where it considers it “just and equitable” to do so.

*** No extension of time allowed, except possibly where there has been deliberate fraud by the employer, causing the employee to suffer real injustice in missing the time limit (*Grimes v Sutton London Borough Council* [1973] ICR 240). (*Grimes v Sutton London Borough Council* [1973] ICR 240).

**** Employment tribunal can extend time limit on “not reasonably practicable” grounds, as above, or where delay was caused by reasonable attempts to pursue internal appeal, etc.