

**UNITED KINGDOM**

Items	Regulations in force on 1 January 2014
1: Notification procedures in the case of individual dismissal of a worker with a regular contract	<p><b>Individual termination:</b> Employees with 2 years' continuous service have the right to receive from their employers, on request, a written statement of the reasons for their dismissal. Employees dismissed during pregnancy or statutory maternity leave are entitled to receive a statement regardless of whether they have asked for one and regardless of length of service.</p> <p><b>Redundancy:</b> Consultation with recognised trade union recommended, but not legally required when few workers are affected.</p> <p>Calculation (for EPL indicators): average of 1 for individual termination and 1.5 for redundancy.</p>
2: Delay involved before notice can start	<p><b>Individual termination:</b> Written or oral notification.</p>
3: Length of notice period at different tenure durations (a)	<p><b>All workers:</b> 0&lt;1m, 1w&lt;2y, plus one additional week of notice per year of service up to a maximum of 12 weeks.</p> <p>Calculation (for EPL indicators): 9 months tenure: 1 week, 4 years tenure: 4 weeks, 20 years tenure: 12 weeks.</p>
4: Severance pay at different tenure durations (a)	<p><b>All workers:</b> none.</p> <p>Legally required only for redundancy cases with 2 years tenure: half a week per year of service (age up to 21); 1 week per year (ages 22 to 40); 1.5 weeks per year (ages 41 to 64), limited to 30 weeks and £ 464 per week (The Employment Rights (Increase of Limits) Order 2014) and indexed to inflation. According to a government study, 40% of firms exceed legal minima.</p> <p>Calculation: average of redundancy (assuming worker is aged 35 at the start of employment) and other cases (no severance pay): <b>9 months tenure: 0, 4 years tenure: 2 weeks, 20 years tenure: 13.5 weeks.</b></p>
5: Definition of unfair dismissal (b)	<p><b>Fair:</b> Dismissals relating to the capability, qualifications or conduct of the employee; because he/she is redundant; because continued employment would be illegal; or some other "substantial reason". One year tenure generally necessary for being able to file for unfair dismissal. <b>Unfair:</b> Dismissals related to a range of reasons including trade union activity, health and safety whistleblowing, pregnancy or maternity, and the national minimum wage. No qualifying service required for complaints for these reasons</p>
6: Length of trial period (c)	<p>Trial periods are for agreement between employer and employee, but do not affect the employee's statutory employment rights. Claims under unfair dismissal legislation are not normally possible until 2 year's service has been completed.</p>
7: Compensation following unfair dismissal (d)	<p>Compensation may consist of various elements: basic award (up to £12 900); compensatory award (up to £72 300); and additional awards (up to £22 360). Unlimited, if the dismissal is connected with health and safety matters or whistleblowing. Compensation under discrimination legislation is also unlimited. Median award is around £4500. Taking all this into account, it is reasonable to assume that average compensation of someone with 20 years of service who is earning close to median salary would reach about 8 months' pay. For those that earn significantly more, or for those where all or most of their 20 years' service was carried out below the age of 41, this award will typically be less (often substantially less) than 8 months of wage.</p> <p>Calculation (for EPL indicators): Typical compensation at 20 years tenure: 8 month – ordinary severance pay = 5.5 months</p>
8: Reinstatement option for the employee following unfair dismissal (b)	<p>Employers are not obliged to reinstate but if a tribunal orders reinstatement or re-engagement in a comparable job and the employer refuses to comply, the tribunal may make an additional award on top of the basic and compensatory awards.</p>
9: Maximum time period after dismissal up to which an unfair dismissal claim can be made (e)	<p>Within three months of the employee's effective date of termination. If the application is received any later than that date, the tribunal will consider the complaint only if they believe it was not reasonably practicable for the employee to have made the complaint within the three-month period and that it has been made within such further period as they consider reasonable. However, the time limit will be extended in certain circumstances by a further three months where the employee has reasonable grounds for believing that a dismissal or disciplinary procedure (statutory or otherwise) is still in progress at the point where the normal time limit would have expired.</p>
10: Valid cases for use of standard fixed term contracts	<p>No restrictions.</p>

11: Maximum number of successive standard FTCs (initial contract plus renewals and/or prolongations)	No limit
12: Maximum cumulated duration of successive standard FTCs	4 years, after which will be treated as a permanent employee.
13: Types of work for which temporary work agency (TWA) employment is legal	General
14: Are there restrictions on the number of renewals and/or prolongations of TWA assignments? (f)	No restrictions
15: Maximum cumulated duration of TWA assignments (f)	No limit
16: Does the set-up of a TWA require authorisation or reporting obligations?	No authorisation or reporting requirements.
17: Do regulations ensure equal treatment of regular workers and agency workers at the user firm?	From day 1 of an assignment, agency workers are given access to certain facilities provided by the hirer, and access to information about job vacancies. After a 12 week qualifying period, agency workers are entitled to the same basic terms and conditions of employment as if they had been employed directly by the hirer.
18: Definition of collective dismissal (b)	For collective redundancies (defined as "dismissal for a reason not related to the individual concerned" by section 195 of the Trade Union and Labour Relations Act, TULRA), regulations apply for dismissal of 20+ employees within 90 days.
19: Additional notification requirements in cases of collective dismissal (g)	<b>Notification of employee representatives:</b> Duty to inform and consult with recognised trade union or other elected employee representatives. <b>Notification of public authorities:</b> There is a requirement to notify the Department for Business, Innovation and Skills (BIS), so that the appropriate Government agencies can take action to help the affected employees.
20: Additional delays involved in cases of collective dismissal (h)	Dismissals may not take effect until 30 days after notifying BIS if 20-99 workers are involved, and 45 days when 100+ workers are involved.
21: Other special costs to employers in case of collective dismissals (i)	<b>Type of negotiation required:</b> Consultation on selection standards and dismissal procedures. <b>Selection criteria:</b> No criteria laid down in law, except for prohibition of discrimination. Often mix of seniority and performance-based criteria. <b>Severance pay:</b> No special regulations for collective dismissal.

Legend: d: days; w: weeks; m: months; y: years. For example "1m < 3y" means "1 month of notice (or severance) pay is required when length of service is below 3 years".

Notes:

- Three tenure durations (9 months, 4 years, 20 years). Case of a regular employee with tenure beyond any trial period, dismissed on personal grounds or economic redundancy, but without fault (where relevant, calculations of scores to compute OECD EPL indicators assume that the worker was 35 years old at the start of employment). Averages are taken where different situations apply – e.g. blue collar and white collar; dismissals for personal reasons and for redundancy.
- Based also on case law, if court practice tends to be more (or less) restrictive than what specified in legislation.
- Initial period within which regular contracts are not fully covered by employment protection provisions and unfair dismissal claims cannot usually be made.
- Typical compensation at 20 years of tenure, including back pay and other compensation (e.g. for future lost earnings in lieu of reinstatement or psychological injury), but excluding ordinary severance pay and pay in lieu of notice. Where relevant, calculations of scores to compute OECD EPL indicators assume that the worker was 35 years old at the start of employment and that a court case takes 6 months on average. Description based also on case law.
- Maximum time period after dismissal up to which an unfair dismissal claim can be made.
- Description based on both regulations on number and duration of the contract(s) between the temporary work agency and the employee and regulations on the number and duration of the assignment(s) with the same user firm.
- Notification requirements to works councils (or employee representatives), and to government authorities such as public employment offices. Only requirements on top of those requirements applying to individual redundancy dismissal count for the OECD EPL indicators (cf. Item 1).
- Additional delays and notice periods in the case of collective dismissal (only delays on top of those required for individual dismissals – as reported in Items 2 and 3 – count for the OECD EPL indicators).
- This refers to whether there are additional severance pay requirements and whether social compensation plans (detailing measures of reemployment, retraining, outplacement, etc.) are obligatory or common practice.