



HL Bill 81 of 2024–25

Employment Rights Bill

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The [Employment Rights Bill](#) would reform employment law in a wide range of areas. This includes new rights to guaranteed hours, flexible working and bereavement leave, changes to statutory sick pay, and new duties on employers to prevent sexual harassment at work. The bill would also introduce day one rights to paternity and parental leave, enhanced protections from unfair dismissal, and protections from dismissal for pregnant women and new mothers. Other changes would include alterations to the statutory framework for trade unions and industrial relations, reinstating the School Support Staff Negotiating Body in England and introducing collective bargaining in the social care sector. It would also establish an agency—the Fair Work Agency—to extend the scope of state enforcement of labour market legislation, extend the time limits that apply to the employment tribunal, and make changes to collective redundancy requirements and the working conditions of seafarers.

The government introduced the bill in the House of Commons on 10 October 2024 and it was debated at second reading on 21 October 2024. Committee stage took place over 21 sittings between November 2024 and January 2025. The government introduced 160 amendments at committee stage, including 11 new clauses and two new schedules. The government introduced a further 40 new clauses and five new schedules at report stage, which took place on 11 and 12 March 2025. The House of Commons passed the bill at third reading on division, by 333 votes to 100.

Trade unions have generally welcomed the bill, though have in some cases called for further measures to be taken. Meanwhile some employer groups have expressed concern about potential costs set to be created by some of the measures in the bill and called for further engagement. The Hansard Society is among bodies to have characterised the bill as skeleton legislation and criticised the extent to which it was amended in the House of Commons.

The government published [explanatory notes](#) and an updated [delegated powers memorandum](#) to accompany the version of the bill introduced in the House of Lords. It previously published a [human rights memorandum](#), together with a [series of factsheets](#) and [impact assessments](#) on the version of the bill introduced in the House of Commons.





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I. What would the bill do?

The [Employment Rights Bill](#) as introduced in the House of Lords comprises 157 clauses and 12 schedules. It is arranged in six parts.

I.1 Overview of clauses and schedules

This section provides a summary overview of the clauses in the bill, many of which would amend existing legislation.¹ More detailed information on individual provisions can be found in the [explanatory notes](#) to the bill.

Part I concerns employment rights and comprises **clauses 1 to 26** and **schedules 1 to 3**:

- **Clauses 1 to 8** and **schedules 1 and 2** would provide for new rights to guaranteed hours (calculated over a reference period), reasonable notice of shifts, and compensation payments for shift cancellation and short notice curtailment for those on zero- and certain minimum-hours contracts. These rights would extend to agency workers. The [Workers \(Predictable Terms and Conditions\) Act 2023](#), which has not been commenced, would be repealed.²
- **Clause 9** would update the right to request flexible working by increasing the burden of justification on employers so they must accept a request except where this would not be reasonably feasible.
- **Clauses 10 to 13** would remove the current waiting period and amend the lower earnings limit which apply to statutory sick pay (SSP). It would also set the weekly rate of SSP at £118.75 or 80 percent of an employee's normal weekly earnings, whichever was lower.

¹ The following summary information is taken from the bill's [explanatory notes](#) (pp 7–14) and [delegated powers memorandum](#) (pp 15–16). The bill would amend a wide range of existing legislation, including the [Employment Agencies Act 1973](#), the [Social Security Contributions and Benefits Act 1992](#) and [Social Security Contributions and Benefits \(Northern Ireland\) Act 1992](#), the [Trade Union and Labour Relations \(Consolidation\) Act 1992](#), the [Merchant Shipping Act 1995](#), the [Employment Rights Act 1996](#), the [Employment Tribunals Act 1996](#), the [National Minimum Wage Act 1998](#), the [Education Act 2002](#), the [Gangmasters \(Licensing\) Act 2004](#), the [Equality Act 2010](#), the [Modern Slavery Act 2015](#), the [Procurement Act 2023](#) and the [Seafarers Wages Act 2023](#).

² The act amended the Employment Rights Act 1996 to give workers and agency workers the right to request more predictable terms and conditions but has not been commenced. It was a private member's bill sponsored in the House of Commons by Scott Benton, then a Conservative but later an independent MP for Blackpool South, and in the House of Lords by Baroness Anderson of Stoke-on-Trent (Labour).



- **Clause 14** would strengthen protections in relation to tips and gratuities by mandating that employers consult when developing or revising tipping policies.
- **Clauses 15 to 18** would provide a right to paternity and parental leave from day one of employment and introduce a right to bereavement leave.
- **Clauses 19 to 22** would introduce provisions to require employers to take all reasonable steps to prevent sexual harassment at work, including by third parties. Sexual harassment, or the likelihood of harassment, would also be added to the list of relevant failures that a worker could cite when making a whistleblowing disclosure while qualifying for employment protections.
- **Clauses 23 to 26** and **schedule 3** would remove the qualifying period relating to unfair dismissal and treat dismissal where employees were dismissed for failing to agree to a change in their employment contract as automatically unfair. They would also extend existing powers to protect pregnant women and new mothers from dismissal except in specific circumstances, along with extending similar powers for those taking a period of statutory family leave.

Part 2 concerns other matters relating to employment and comprises **clauses 27 to 34**:

- **Clauses 27 to 29** would extend the application of requirements that apply to collective redundancy and amend the requirements concerning collective redundancy notification which apply to ships' crew.
- **Clauses 30 to 34** would update the legislative framework concerning the transfer of workers under public contracts. They would also update duties of employers relating to equality, introduce a new duty on employers to keep annual leave records, and make provision for the regulation of so-called umbrella companies that employ staff on behalf of employment businesses.

Part 3 concerns pay and conditions in particular sectors and comprises **clauses 35 to 54** and **schedules 4 and 5**:

- **Chapter 1 (clause 35)** would make provision for the reinstatement of the School Support Staff Negotiating Body (SSSNB) in England.³

³ The SSSNB was first created by the [Apprenticeships, Skills, Children and Learning Act 2009](#) and became a statutory advisory body in January 2010. Its remit was to consider and seek agreement on matters relating to



- **Chapter 2** comprises **clauses 36 to 52** and would provide for an Adult Social Care Negotiating Body in England, and similar negotiating bodies in Scotland and Wales, to allow collective bargaining in the adult social care sector.
- **Chapter 3** comprises **clauses 53 and 54** and would provide additional employment protections to seafarers working on services visiting the UK frequently and powers to implement certain international agreements concerning maritime employment.

Part 4 (comprising **clauses 55 to 86** and **schedule 6**) would update the legislative framework relating to trade unions and industrial action. It would provide a right to a statement of trade union rights and for trade unions to access workplaces, as well as making it easier for trade unions to gain recognition. Clauses in this part would also update requirements around trade union finances; provide for facilities for trade union officials, learning representatives and equality representatives; provide additional powers to prohibit blacklisting for a wider range of people; and reform requirements for industrial action ballots, mandates and the provision of information to employers regarding industrial action. They would also remove requirements for union supervision of picketing, widen protections for workers taking industrial action, and reform the functions of the certification officer. The measures would repeal the [Strikes \(Minimum Service Levels\) Act 2023](#) and amendments made by the [Trade Union Act 2016](#) to the [Trade Union and Labour Relations \(Consolidation\) Act 1992](#).⁴

Part 5 concerns enforcement of labour market legislation. **Clauses 87 to 148** and **schedules 7 to 11** would provide for the enforcement of labour market legislation by the secretary of state and consolidate and extend the scope of state enforcement through the establishment of the Fair Work Agency.⁵

Part 6 (comprising **clauses 149 to 157** and **schedule 12**) would extend the time limits applying to proceedings before the employment tribunal from three months to six months. Part 6 would also provide for other miscellaneous and general matters, including the bill's

the remuneration and conditions of employment of school support staff working in local authority maintained schools in England. The provisions establishing the SSSNB were repealed under the Education Act 2011 (House of Commons Library, [‘Employment Rights Bill 2024–25’](#), 18 October 2024, p 49).

⁴ For further background on these acts, see: House of Commons Library, [‘Employment Rights Bill 2024–25’](#), 18 October 2024, pp 56–8.

⁵ For further information on the proposed agency and its powers, see: Department for Business and Trade, [‘Factsheet: Fair Work Agency in the Employment Rights Bill’](#), 18 October 2024.



extent, commencement and short title.

Regarding the bill's extent, parts 1, 2 and 4 would extend to Great Britain (England and Wales and Scotland), except for clauses 12 and 13 (Northern Ireland only) and clause 30 (which would extend UK-wide). This is on the basis that employment rights and industrial relations, statutory sick pay and equal opportunities are reserved for Scotland and Wales and transferred in Northern Ireland.⁶ In part 3, chapter 1 (clause 35) would extend to England and Wales, chapter 2 (clauses 36 to 52) to Great Britain, and chapter 3 (clauses 53 and 54) would extend UK-wide. Parts 5 and 6 would also extend UK-wide. The bill's [explanatory notes](#) contain a table highlighting the territorial extent and application of the bill's provisions and whether legislative consent motion processes are engaged for any measures.⁷

1.2 Delegated powers in the bill

The government published an updated [delegated powers memorandum](#) to accompany the version of the bill introduced in the House of Lords. This notes that among the many delegated powers in the bill are 12 so-called 'Henry VIII powers' to amend primary legislation through secondary legislation.⁸ It adds that all 12 would be subject to the draft affirmative procedure, meaning both Houses would need to approve any regulations laid in draft before ministers could sign them into law.⁹

2. What is the background to the bill?

The bill largely implements changes to employment law trailed by the Labour Party ahead of the 2024 general election. This includes proposals set out in a September 2021 conference speech and an accompanying publication entitled '[Employment rights green paper: A new deal for working people](#)'. Labour later updated these proposals in a publication entitled '[Labour's plan to make work pay: Delivering a new deal for working people](#)', published in May 2024.¹⁰ The party's general election manifesto then reiterated a commitment originally outlined in the 2021 speech to introduce legislation to implement the changes within

⁶ [Explanatory notes](#), p 17.

⁷ As above, pp 189–91.

⁸ [Delegated powers memorandum](#), p 19.

⁹ UK Parliament, '[Statutory instruments procedure in the House of Lords](#)', accessed 18 March 2025.

¹⁰ Labour Party, '[Employment rights green paper: A new deal for working people](#)', updated September 2022; and '[Labour's plan to make work pay: Delivering a new deal for working people](#)', June 2024.



100 days of winning a majority at the election.¹¹ Following the election, the new Labour government subsequently launched a series of consultations following the bill's introduction in the House of Commons. The responses to these consultations informed amendments brought in during later stages. Further details on these policy developments are set out below.

2.1 Conference speech and 'Employment rights green paper' (2021)

At the Labour Party conference in September 2021, Angela Rayner, then shadow secretary of state for the future of work, announced the publication of a Labour Party green paper outlining employment law reforms the party would implement were it to form the next government.¹² Ms Rayner said Labour planned to pursue:¹³

- collective bargaining between unions and employers across all sectors to set minimum pay rates and basic conditions, starting with adult social care
- provisions to ensure workers had full 'day one' employment rights, including on sick pay, holiday pay, parental leave and protection from unfair dismissal
- a single definition of worker, banning "bogus" self-employment
- an end to zero-hours contracts and fire and rehire practices
- full rights to flexible working as a default, protections for those with caring responsibilities, and a 'right to switch off' outside working hours
- increasing statutory sick pay and making it universal

Ms Rayner later said the "driving mission of the next Labour government" would be to "end the poverty wages and insecure work that blights millions of lives and is holding back our economy".¹⁴ She added that in her view, "better pay and more secure work is good for workers, good for businesses and good for the economy".

¹¹ Labour Party, '[Labour Party manifesto 2024](#)', June 2024, p 45.

¹² LabourList, '["Let us face the future"—Angela Rayner's full conference speech](#)', 25 September 2021. See also: Orpington Labour Party, '[Labour sets out plans for fair pay agreements to deliver new deal for working people](#)', 25 September 2021; and BBC News, '[Labour conference: New rights for workers to boost fairness. Rayner vows](#)', 25 September 2021.

¹³ As above. See also: Jessica Elgot, '[Angela Rayner sets out plans to boost workers' rights and end 'dodgy deals](#)', Guardian, 25 September 2021; and Chartered Institute of Taxation, '[Labour conference 2021: Labour promises biggest overhaul of business taxation in a generation](#)', 2 October 2021.

¹⁴ Angela Rayner, '[Conference 2021](#)', 5 October 2021.



The employment rights green paper itself, later updated in autumn 2022, carried more detail on proposals Labour planned to pursue in office, including repealing legislation it described as “anti-trade union”; putting mental health on a par with physical health in workplaces; closing gender, ethnicity and disability pay gaps; and tackling workplace harassment and socio-economic discrimination at work.¹⁵

2.2 ‘Labour’s plan to make work pay’ (2024) and Labour’s manifesto

The Labour Party updated its plans in a publication entitled ‘[Labour’s plan to make work pay: Delivering a new deal for working people](#)’. This was first published on 24 May 2024, two days after Rishi Sunak, then prime minister, called the 2024 general election.¹⁶ The document was subsequently reissued the following month.¹⁷

A foreword on the agenda underpinning the plan said:

Labour’s new deal for working people is our plan to make work pay. It’s how we’ll boost wages, make work more secure and support working people to thrive—delivering a genuine living wage, banning exploitative zero-hours contracts, and ending fire and rehire.

Labour will back working people to take their voice back, improve their terms and conditions and ensure protections at work are fit for the world today. While the Tories have failed to take on those who exploit Britain’s workers, we’ll deliver the biggest upgrade to rights at work for a generation.¹⁸

The plan included the following key elements, organised under seven headings:¹⁹

- **Ending “one-sided flexibility”.** Zero-hours contracts and ‘fire and rehire’—the practice of an employer making an employee redundant and then re-engaging them on reduced terms and conditions—would be ended. Basic

¹⁵ Labour Party, ‘[Employment rights green paper: A new deal for working people](#)’, updated September 2022.

¹⁶ Labour Party, ‘[Labour’s plan to make work pay: Delivering a new deal for working people \(May 2024 version\)](#)’, 24 May 2024.

¹⁷ Labour Party, ‘[Labour’s plan to make work pay: Delivering a new deal for working people](#)’, June 2024.

¹⁸ As above, p 3.

¹⁹ As above, pp 5–18.



worker rights, such as parental leave, sick pay and protection against unfair dismissal, would be guaranteed from the first day of employment. Protections for whistleblowers, including for women who report sexual harassment at work, would also be strengthened. There would be a transition away from the current three-tier system of employment status—of employees, self-employed and ‘workers’ (whose rights and protections are unclear)—towards a simpler two-part framework for employment status differentiating between workers (which have defined rights and protections) and the “genuinely self-employed”.

- **Family friendly rights.** Flexible working would become the default from day one for all workers, except where it was not reasonably feasible. The parental leave system would be reviewed within the first year of a Labour government so it “best supports working families”. Maternity discrimination protections would be strengthened by making it unlawful to dismiss a woman who was pregnant for a period of six months after her return, except in specific circumstances. In addition, carers’ leave would be reviewed, bereavement leave would be introduced for all workers, a ‘right to switch off’ would be brought in, and proposals to introduce surveillance technologies would be subject to consultation and negotiation.
- **Fair pay.** The remit of the Low Pay Commission—an independent body that advises the government about the national minimum wage—would be changed to consider the cost of living. Within the national minimum wage, “discriminatory age bands” would also be removed. A single enforcement body would be created and, alongside HM Revenue and Customs, would be given the powers necessary to ensure that the ‘genuine living wage’ was properly enforced. Statutory sick pay would be made available to all workers with the current waiting period removed. In addition, a new collective bargaining agreement would be established in the adult social care sector; the law on tips would be further strengthened to ensure hospitality workers received their tips in full and could decide how tips were allocated; unpaid internships would be banned except as part of an education or training course; and the School Support Staff Negotiating Body would be reinstated.
- **Voice at work.** Trade union legislation would be updated, removing certain restrictions on trade union activity and introducing new rights for trade unions to access workplaces for recruitment and organising purposes. The [Trade Union Act 2016](#) and the [Strikes \(Minimum Service Levels\) Act 2023](#) would be repealed. Current rules on trade union balloting, recognition thresholds and blacklisting would be revised. In addition, rules regulating access to workplaces for trade unions would be standardised, protections for trade union representatives would be strengthened, and a new duty on employers to inform all employees of their right to join a union would be introduced.



- **Equality at work.** The ‘Equal pay framework’ would be strengthened and made more accessible, a socioeconomic duty for public bodies would be enacted, and the public sector equality duty would be upheld. In addition, employers would be encouraged to sign up to a best practice charter for employing workers with terminal illness, gender pay gap reporting would be subject to a renewed focus, and employers with more than 250 employees would be required to produce menopause action plans.
- **Rights at work.** A single enforcement body for workers’ rights, previously consulted on by the Conservatives, would be created, with responsibility for proactive enforcement work and bringing civil proceedings to uphold employment rights.²⁰ Employment tribunal processes would be updated and Law Commission recommendations to extend tribunal time limits would be implemented.²¹ In addition, collective grievances about conduct at work would be permitted to be raised with the Advisory, Conciliation and Arbitration Service (ACAS), in line with the existing code for individual grievances.
- **Procurement.** The plan added Labour would “bring about the biggest wave of insourcing of public services in a generation”. It said a Labour government would also extend the [Freedom of Information Act 2000](#) to apply to private companies that hold contracts to provide public services, exclusively with regard to information relevant to those contracts, and to publicly funded employers’ associations where they were not already covered. It would introduce a new national procurement plan and a separate procurement bill. It also said a Labour government would establish a ‘Fair work standard’, upheld by a new Social Value Council made up of public, employer and trade union representatives—inspired by the Social Partnership Council in Wales.²²

Commenting on how the plan would be implemented, Labour said the proposals formed a “core part” of the party’s “mission to grow Britain’s economy and raise living standards across the country”. It explained this was why it would “introduce legislation in Parliament within 100 days of entering government” to bring in the changes.²³ The party also said it would pursue “full and comprehensive consultation” with businesses, trade unions and civil society while a bill to implement the pledges progressed through Parliament. It added that “much of the detail will be based on regulations so we can react flexibly to changing

²⁰ See, for example: Department for Business, Energy and Industrial Strategy, ‘[Good work plan: Establishing a new single enforcement body for employment rights](#)’, updated 8 June 2021.

²¹ See: Law Commission, ‘[Employment law hearing structures](#)’, updated 28 April 2020.

²² For further information, see: Welsh Government, ‘[Social Partnership Council](#)’, accessed 18 March 2025.

²³ Labour Party, ‘[Labour’s plan to make work pay: Delivering a new deal for working people](#)’, June 2024, p 4.



economic circumstances”. It also said it could pursue some changes, such as changing the remit of the Low Pay Commission, without legislation.

The plan followed tensions with trade union leaders who had expressed concern that Labour’s workers’ rights agenda was being “watered down” in the face of lobbying from employer groups.²⁴ The Trades Union Congress (TUC) had previously described the proposed reforms as “transformative” and “the biggest upgrade in workers’ rights in a generation”, publishing polling suggesting that the reforms were broadly supported by the public.²⁵ In contrast, the Confederation of British Industry (CBI) expressed concerns the proposed reforms could threaten the UK’s competitiveness.²⁶ CBI president Rupert Soames said the group was providing “private feedback” to Labour about its plans.

Labour’s June 2024 general election manifesto committed the party to delivering its ‘New deal for working people’ plan in full.²⁷ It reiterated a Labour government would introduce legislation within 100 days of coming to office and then “consult fully with businesses, workers, and civil society on how to put our plans into practice before legislation is passed”.

2.3 Employment rights in the King’s Speech and subsequent bill

In the first King’s Speech of the new parliament, the new Labour government said it was “committed to making work pay” and would “legislate to introduce a new deal for working people to ban exploitative practices and enhance employment rights”.²⁸ In briefing notes published to accompany the speech, the government said the proposed Employment Rights Bill would be a “significant step” towards delivering on the ambitions set out in Labour’s ‘Plan to make work pay’.²⁹ It also argued the bill would represent the “biggest upgrade to workers’ rights in a generation”. It said implementation of the plan would be “fundamental to our

²⁴ Jessica Elgot, [‘Labour and unions reach agreement on workers’ rights proposals’](#), Guardian, 14 May 2024; and Jessica Elgot and Richard Partington, [‘Labour’s ‘new deal for workers’ will not fully ban zero-hours contracts’](#), Guardian, 1 May 2024.

²⁵ TUC, [“‘Overwhelming support’ for Labour’s new deal for workers, including among Tory voters—new TUC poll’](#), 12 September 2023.

²⁶ Patrick Jenkins and Michael O’Dwyer, [‘CBI pushing Labour to soften workers’ rights pledges, says new president’](#), Financial Times (£), 6 February 2024.

²⁷ Labour Party, [‘Labour Party manifesto 2024’](#), June 2024, p 45.

²⁸ [HL Hansard, 17 July 2024, col 7.](#)

²⁹ Prime Minister’s Office, [‘King’s Speech 2024: Background briefing notes’](#), 17 July 2024, pp 20–2.



growth mission” and that the changes would extend to Great Britain. The briefing notes confirmed the bill would:

- ban “exploitative zero-hour contracts” and end ‘fire and rehire’ and ‘fire and replace’
- make parental leave, sick pay and protection from unfair dismissal available from day one on the job for all workers, and strengthen statutory sick pay
- make flexible working the default from day one for all workers, with employers required to accommodate this as far as was reasonable
- strengthen protections for new mothers
- establish a new single enforcement body, to be known as the Fair Work Agency, and a fair pay agreement in the adult social care sector
- reinstate the School Support Staff Negotiating Body
- update legislation to remove “unnecessary restrictions on trade union activity—including the previous government’s approach to minimum service levels”, as well as simplify the process of statutory recognition for unions

In September 2024, Ms Rayner, now deputy prime minister and secretary of state for housing, communities and local government, confirmed in her opening speech at the Labour Party conference that the government would introduce the bill the following month.³⁰ BBC News reported at the time that negotiations on the detail of the legislation were still ongoing between ministers, business organisations and union officials.³¹

The government subsequently introduced the [Employment Rights Bill](#) in the House of Commons on 10 October 2024, within 100 days of polling day.³²

The government published a ‘[Next steps to make work pay](#)’ plan alongside the bill.³³ This document set out measures the government had already pursued since the general election, including adjusting the Low Pay Commission’s remit to consider the cost of living when making decisions on minimum wage rates and introducing plans for a new fair payment code

³⁰ Labour Party, ‘[Angela Rayner speech at Labour Party conference 2024](#)’, 22 September 2024.

³¹ Iain Watson, ‘[Unions and Labour still wrangling over workers’ rights](#)’, BBC News, 22 September 2024.

³² [HC Hansard, 10 October 2024, col 484](#).

³³ UK Government, ‘[Next steps to make work pay](#)’, 10 October 2024.



to protect the self-employed from late payments.³⁴ It also explained which of the proposals in the ‘new deal for working people’ plan would feature in the bill and which reforms would be pursued separately, whether through existing powers or non-legislative routes, a separate Equality (Race and Disability) Bill, or after consultations or calls for evidence.³⁵

Detailed background information on the proposals in the version of the bill introduced in the House of Commons can be found in the following briefing:

- House of Commons Library, ‘[Employment Rights Bill 2024–25](#)’, 18 October 2024

The government later published a [series of factsheets](#) and [impact assessments](#) (IAs) on the bill.³⁶ The assessments included an overall economic analysis and summary assessment, and 23 separate analyses on aspects of the bill by the Department for Business and Trade, the Cabinet Office, the Department for Transport and the Department for Work and Pensions.³⁷ The government added three further assessments for measures it introduced during the bill’s passage through the House of Commons, for example the changes to employment tribunal time limits and powers to both introduce a mandatory seafarers’ charter and amend international maritime conventions.

2.4 Regulatory Policy Committee opinion on impact assessments

The government submitted its IA on the bill to the Regulatory Policy Committee (RPC) just over a week after it introduced the bill in the House of Commons.³⁸ The RPC usually

³⁴ See, for example: Department for Business and Trade and Small Business Commissioner, ‘[Crackdown on late payments in major support package for small businesses](#)’, updated 25 September 2024; and ‘[New plans revealed to help small firms and improve access to cash](#)’, 3 December 2024.

³⁵ Department for Business and Trade, ‘[Next steps to make work pay](#)’, 10 October 2024. For further information on the planned Equality (Race and Disability) Bill, see: Office for Equality and Opportunity et al, ‘[Office for Equality and Opportunity to break down barriers to opportunity](#)’, 9 October 2024.

³⁶ See also: Department for Business and Trade, ‘[Collection: Make work pay](#)’, updated 4 March 2025.

³⁷ HM Government, ‘[Employment Rights Bill: Impact assessments](#)’, updated 4 March 2025.

³⁸ The Regulatory Policy Committee is an independent regulatory scrutiny body. It assesses the quality of evidence and analysis used to inform government regulatory proposals (Regulatory Policy Committee, ‘[About us](#)’, accessed 18 March 2025).



expects the government to submit assessments “in time for the RPC to issue an opinion before the relevant legislation is laid before Parliament”.³⁹

Issuing its opinion on 25 November 2024, the RPC described the overall IA as “not fit for purpose”. Its opinion in full read:

The RPC has assessed eight of the 23 individual IAs as ‘not fit for purpose’ and six of these are in the ‘highest impact’ measure category in the summary IA. The overall assessment for the bill IA is therefore ‘not fit for purpose’. Given the number and reach of the measures, it would be proportionate to undertake labour market and broader macroeconomic analysis, to understand the overall impact on employment, wages and output, and particularly, the pass-through of employer costs to employees. The eight individual IAs and the summary IA need to provide further analysis and evidence in relation to the rationale for intervention, identification of options (including impacts on small and microbusinesses) and/or justification for the preferred way forward.⁴⁰

The RPC’s opinion included a table with individual ratings for each policy measure included in the bill as introduced in the House of Commons.⁴¹ The IAs for the six ‘highest impact’ measures to receive ‘not fit for purpose’ ratings covered:⁴²

- day one unfair dismissal rights
- repeal of the Trade Union Act 2016
- repeal of the Strikes (Minimum Service Levels) Act 2023
- establishing a fair pay agreement process in the adult social care sector
- dismissal for failing to agree to variation of contract (fire and rehire)
- a right to guaranteed hours

³⁹ Regulatory Policy Committee, [‘Employment Rights Bill: Statement on lateness of IA submission’](#), updated 25 November 2024.

⁴⁰ Regulatory Policy Committee, [‘RPC opinion: Employment Rights Bill’](#), 25 November 2024, p 1. See also: Regulatory Policy Committee, [‘Employment Rights Bill: RPC opinion \(red-rated\)’](#), 25 November 2024.

⁴¹ As above. See in particular [‘Table 1. RPC ratings for each individual IA’](#) on p 3.

⁴² As above. See also [‘Annex A: IAs considered not fit for purpose—red-rated issues’](#), pp 11–18.



The two remaining ‘not fit for purpose’ ratings concerned making flexible working a default arrangement and requiring employers to not permit the harassment of their employees by third parties, both of which were categorised as ‘low impact’ areas.

2.5 Consultations launched following the bill’s introduction

The government launched a series of consultations on aspects of its ‘Make work pay’ agenda to be delivered through the bill on the same day the bill was debated at second reading in the House of Commons. These covered zero-hours contracts, collective redundancy and fire and rehire, industrial relations and statutory sick pay.⁴³ In particular, the consultations outlined proposals to extend guaranteed hours to agency workers, amend limits on protective awards by employment tribunals and introduce interim relief for employees bringing fire and rehire claims, update the legislative framework in which trade unions operate, and linking statutory sick pay to a percentage of normal weekly earnings. The government has also said it expects to begin further consultations on the implementation of measures in the bill later in 2025.⁴⁴

The government has separately pursued several employment-related policy reviews in parallel with the bill. These include its ‘[Get Britain working](#)’ white paper, a ‘[Keep Britain working](#)’ review into business support for people with long-term illnesses or disabilities, and its ‘[Pathways to work](#)’ green paper on the health and disability benefit system.⁴⁵

⁴³ Department for Work and Pensions, ‘[Making work pay: Strengthening statutory sick pay](#)’, updated 4 March 2025; and Department for Business and Trade, ‘[Making work pay: The application of zero-hours contracts measures to agency workers](#)’, updated 4 March 2025; ‘[Making work pay: Creating a modern framework for industrial relations](#)’, updated 4 March 2025; and ‘[Making work pay: Collective redundancy and fire and rehire](#)’, updated 4 March 2025. The consultations were open between 21 October and early December 2024. The government responded on 4 March 2025.

⁴⁴ House of Commons, ‘[Written statement: Making work pay: Government responses to consultation package \(HCWS490\)](#)’, 4 March 2025.

⁴⁵ HM Government, ‘[Get Britain working](#)’, 26 November 2024, CP 1191. See also: Department for Work and Pensions, ‘[Ex-high street chief to keep Britain working with review into business support for disabled and long-term sick](#)’, 24 January 2025; ‘[New survey suggests benefits system is letting down people with mental health conditions who want to work](#)’, 6 February 2025; and ‘[Pathways to work: Reforming benefits and support to get Britain working](#)’, 18 March 2025, CP 1297.



3. What happened in the House of Commons?

The version of the bill first introduced in the House of Commons comprised 119 clauses and seven schedules.⁴⁶ The Commons agreed to hundreds of government amendments at committee stage and report stage, including 40 new clauses and five new schedules.⁴⁷

3.1 Second reading

Second reading in the House of Commons took place on 21 October 2024.⁴⁸ Angela Rayner, deputy prime minister and secretary of state for housing, communities and local government with additional ministerial responsibility for employment rights, opened the debate on behalf of the government.⁴⁹ Ms Rayner said the bill fulfilled Labour’s promise to introduce a bill on workers’ rights in its first 100 days in office. She then highlighted why her party saw a need for the changes to be provided for by the bill:

Over decades, the good, secure jobs that our parents and grandparents could build a life on were replaced by low-paid and insecure work. Wages flatlined, in-work poverty grew, growth was strangled and the Tories left behind a battered economy that served no one. Today, this Labour government, led by working people for working people, will start to turn the tide.⁵⁰

Ms Rayner added that Labour had “engaged extensively” on the provisions in the bill and would “continue to do so”. This included through the four consultations launched the same day on statutory sick pay, zero-hours contracts, industrial relations, and collective redundancy and fire and rehire.⁵¹ After summarising the key provisions in the bill, Ms Rayner

⁴⁶ House of Commons, ‘[Employment Rights Bill: Bill 11 of session 2024–25](#)’, 10 October 2024.

⁴⁷ One amendment removed an existing clause and one new clause replaced an existing clause.

⁴⁸ [HC Hansard, 21 October 2024, cols 46–147](#). The autumn budget 2024 was delivered the following week.

⁴⁹ [HC Hansard, 21 October 2024, cols 46–55](#). Ms Rayner holds special responsibility for employment rights and Labour’s ‘Making work pay’ agenda, including chairing the cabinet committee on the future of work and ensuring cross-government delivery of Labour’s ‘New deal for working people’ plan (UK Government, ‘[Angela Rayner MP](#)’, accessed 18 March 2025).

⁵⁰ [HC Hansard, 21 October 2024, col 46](#).

⁵¹ Department for Work and Pensions, ‘[Making work pay: Strengthening statutory sick pay](#)’, updated 4 March 2025; and Department for Business and Trade, ‘[Making work pay: The application of zero-hours contracts measures to agency workers](#)’, updated 4 March 2025; ‘[Making work pay: Creating a modern framework for industrial relations](#)’, updated 4 March 2025; and ‘[Making work pay: Collective redundancy and fire and rehire](#)’, updated 4 March 2025.



concluded by arguing that taken together they represented a “transformative package that marks a new era for working people”. She continued:

Our plans mark a new way forward—a new deal for working people, making jobs more secure and family friendly, banning exploitative zero-hours contracts, supporting women in work at every stage in their life, a genuine living wage and sick pay for the lowest earners, further and faster action to close the gender pay gap, ensuring that rights are enforced and that trade unions are strengthened, repealing the anti-worker, anti-union laws, turning the page on industrial relations and ending fire and rehire, while giving working people the basic rights that they deserve from day one in the job. This is a landmark moment, delivered in under 100 days. This is a pro-business, pro-worker, pro-growth bill and a pro-business, pro-worker, pro-growth government. Today, after 14 years of failure, we are starting a new chapter and decisively delivering a better Britain for working people.⁵²

Kevin Hollinrake, then shadow secretary of state for business and trade, spoke next on behalf of the Conservative Party.⁵³ He began by moving a reasoned amendment to decline to give the bill a second reading:

[...] because it has been rushed into Parliament without full consultation to meet an arbitrary 100-day deadline and [...] has not been accompanied by an impact assessment considering the impact on the employment tribunal, especially as a result of the removal of the qualifying period for the right to claim unfair dismissal or the impact of the extra red tape on SMEs [small- and medium-sized enterprises] or the impact of establishing the Fair Work Agency; because the repeal of trade union laws will lead to more strikes and intimidation in the workplace, and will force taxpayers to foot the bill for inflation-busting pay hikes without public service reform; because the bill undermines choice for workers about whether they want to fund political campaigning and forces firms and public bodies to bankroll more trade union facility time, including trade union diversity jobs; and because the bill is contrary to the government’s stated goals of improving productivity and economic growth and will increase costs for businesses and consumers.⁵⁴

⁵² [HC Hansard, 21 October 2024, col 55.](#)

⁵³ [HC Hansard, 21 October 2024, cols 55–63.](#)

⁵⁴ [HC Hansard, 21 October 2024, cols 55–6.](#) Mr Hollinrake was among Conservative MPs to allege the government had published the bill’s impact assessment only two hours before the second reading debate.



Mr Hollinrake highlighted how his party had acted during its time in office to improve workers' rights. This included in areas such as "flexible working, parental leave, redundancy protections, ensuring that workers keep the tips left for them by their customers, and significant increases to the national living wage". He then argued the measures in the bill would have a "very high cost" for companies and these would be "passed on in the form of higher prices, reduced wages and lost jobs". He added the measures would "fall most heavily on small businesses, for which they could be existential".

Mr Hollinrake's criticisms of the bill included the allegation it was the result of a "misguided promise" to introduce legislation within 100 days and, as such, was a "rushed job". He criticised the extent to which final policy in many areas would be decided later by secondary legislation and suggested that uncertainty arising from this approach was "causing real concern for businesses". He concluded by calling on the government to reconsider the bill:

The path that we took in government was pro-worker and pro-business [...] Our approach recognised that by harming business, which is the strong horse that pulls the whole cart, we are harming workers—a fact that this government have clearly failed to grasp. This bill puts the cart firmly before the horse. For small businesses particularly, it creates an existential crisis of a magnitude not seen since the pandemic. The future of hundreds of thousands of business people and millions of jobs is in the deputy prime minister's hands. I urge her to think again, withdraw this legislation and listen carefully, not just to the unions but to the voice of business, before it is too late.⁵⁵

Sarah Gibson spoke for the Liberal Democrats in her capacity as the party's spokesperson for business.⁵⁶ Ms Gibson said her party "broadly" supported the government's "desire to modernise employment rights and make them fit for the modern working world". However, she added the bill could "better support carers, parents and those who fall ill". She also said the government should make policy adjustments so that "small businesses receive adequate support" for any additional costs arising from measures in the bill. She concluded:

The bill must do more to provide small businesses with certainty, stability and transparency. We on the Liberal Democrat benches look forward to the bill's passage and will work with colleagues to ensure it delivers on its full promise, but we hope that our proposals to improve the legislation are fully considered.⁵⁷

⁵⁵ [HC Hansard, 21 October 2024, col 63.](#)

⁵⁶ [HC Hansard, 21 October 2024, cols 65–6.](#)

⁵⁷ [HC Hansard, 21 October 2024, col 66.](#)



Gareth Bacon, then a shadow business and trade minister, closed the debate on behalf of the Conservative Party.⁵⁸ He repeated Mr Hollinrake’s earlier criticism that the bill represented a “trade union charter” and alleged it would “send Britain back to the 1970s”. He concluded:

This rushed bill is not a charter for economic growth; it is a charter for industrial strife, plunging productivity, rising unemployment, inflation and economic ruin. This rushed bill is not fit for purpose, and the government should withdraw it and think again.

Secretary of State for Business and Trade Jonathan Reynolds closed the debate on behalf of the government.⁵⁹ Mr Reynolds began by criticising the Conservatives for not having brought forward an employment bill during the 2019–24 parliament. He then responded to criticisms that the bill was “rushed” by arguing the government had “worked closely with all parties” in drawing up the measures. He called on the House to reject Mr Hollinrake’s reasoned amendment, which he characterised as a “bit of a mess”, before reiterating that “nothing could be further from the truth” in answer to claims the bill had been rushed. Instead, he said it was “testament to the brilliance of the civil service and the resilience of the British model of government” that the bill was ready for introduction within 100 days.

The House divided on Mr Hollinrake’s amendment, which was rejected by 386 votes to 105.⁶⁰ The House then agreed to give the bill a second reading by the same margin.⁶¹

3.2 Committee stage

A public bill committee considered the bill during 21 sittings held on 11 dates between 26 November 2024 and 16 January 2025.⁶² The committee comprised 20 MPs, distributed as follows: Labour (13); Conservative (four); Liberal Democrat (two); and SNP (one).⁶³ The committee had earlier issued a call for evidence in advance of its first meeting.⁶⁴ In total

⁵⁸ [HC Hansard, 21 October 2024, cols 135–7.](#)

⁵⁹ [HC Hansard, 21 October 2024, cols 137–40.](#)

⁶⁰ [HC Hansard, 21 October 2024, cols 141–4.](#)

⁶¹ [HC Hansard, 21 October 2024, cols 145–7.](#)

⁶² UK Parliament, [‘Employment Rights Bill: Stages—Committee stage’](#), accessed 18 March 2025. See also: House of Commons Public Bill Committee, [‘Employment Rights Bill: Compilation of sittings’](#), 16 January 2025, session 2024–5, 1st to 21st sittings, cols 1–802.

⁶³ House of Commons Library, [‘Employment Rights Bill 2024–25: Progress of the bill’](#), 5 March 2025, p 47.

⁶⁴ UK Parliament, [‘Employment Rights Bill: Call for evidence’](#), 23 October 2024.



84 written submissions were circulated to members of the committee and made publicly available.⁶⁵

The first four sittings were dedicated to the examination of witnesses. A wide range of individuals gave oral evidence to the committee, including representatives from business groups, trade unions, chartered institutes on personnel matters, think tanks, academia, and government departments or public bodies.⁶⁶ The sessions covered a range of areas:⁶⁷

- **First session:** statutory sick pay, day one employment rights, trade union access, zero-hours contracts, parental leave, and implementation of measures.
- **Second session:** flexibility in the hospitality sector, enforcement of employment law, guaranteed hours and redundancy in the manufacturing and engineering sectors, rights of seafarers compared with land-based staff, fair pay and collective bargaining, secure employment and productivity, and flexible working and non-disclosure agreements.
- **Third session:** retail industry and retail workers, including flexible working in the sector, surveillance technology in the workplace, and the impact of regulation on employment levels.
- **Fourth session:** modernisation of union practices, employment law and productivity, gig economy contracts for substitute workers, collective redundancy, and equalities and protected characteristics in the workplace.

The committee considered amendments to the bill during the remaining 17 sessions. In total, 264 amendments were tabled for consideration.⁶⁸ Of these, 160 were tabled by the government.⁶⁹ This included 11 new clauses and three new schedules. All government amendments were agreed. No amendments tabled by opposition parties were agreed. Non-government amendments were either not selected, not called, withdrawn after debate, or disagreed to on division.

⁶⁵ UK Parliament, '[Employment Rights Bill: Publications](#)', accessed 18 March 2025, see 'written evidence'.

⁶⁶ For a full list, see: House of Commons Public Bill Committee, '[Employment Rights Bill: Compilation of sittings](#)', 16 January 2025, session 2024–5, 1st to 21st sittings, [cols 1–2](#); [cols 37–8](#); [cols 95–6](#); and [cols 123–4](#).

⁶⁷ House of Commons Library, '[Employment Rights Bill 2024–25: Progress of the bill](#)', 5 March 2025, pp 11–16.

⁶⁸ UK Parliament, '[Employment Rights Bill: Committee stage amendments—all](#)', accessed 18 March 2025.

⁶⁹ UK Parliament, '[Employment Rights Bill: Committee stage amendments—Justin Madders](#)', accessed 18 March 2025; and House of Commons, '[Employment Rights Bill: Committee stage decisions](#)', 16 January 2025.



Many of the government-sponsored amendments made either minor corrections, clarifications, or were consequential to other amendments. Justin Madders, a parliamentary under secretary of state at the Department for Business and Trade, suggested during proceedings on the bill that many of the changes were at least partly designed to ensure the bill was “shipshape” before it reached the House of Lords.⁷⁰

However, two significant changes introduced through new clauses or amendments provided for:⁷¹

- increasing the time limit within which individuals could make almost all employment tribunal claims from three months to six months (several amendments, together with new clause 10 and new schedule 2)
- introducing new powers to implement international maritime conventions at a later date through secondary legislation, as well as changing conditions relating to the wages and working conditions of seafarers working on ships providing services covered by the [Seafarers Wages Act 2023](#) (new clauses 52 and 48, together with new schedule 3 and related amendments)

Other new clauses introduced at committee stage provided for changes including exemptions from enforcement powers for the intelligence services and on the grounds of national security (new clauses 49 and 50 and related amendments); allowing enforcement officers to enter private dwellings used for business purposes with a warrant (new clauses 8 and 9, new schedule 1 and related amendments); and extending the bill’s statutory sick pay changes to Northern Ireland (new clauses 5 and 6).

The committee divided 11 times during its deliberations on the bill. Five of these were on whether existing clauses or schedules should stand part of the bill. The remaining six were on proposed amendments tabled by opposition parties. The Conservatives sponsored five amendments pushed to division:

- Amendment 151 would have excluded agency workers from the provisions in the bill on the right to guaranteed hours. It was rejected by 14 votes to 4.⁷²

⁷⁰ House of Commons Public Bill Committee, ‘[Employment Rights Bill: Compilation of sittings](#)’, 16 January 2025, session 2024–5, 1st to 21st sittings, [col 690](#).

⁷¹ House of Commons Library, ‘[Employment Rights Bill 2024–25: Progress of the bill](#)’, 5 March 2025, p 5.

⁷² House of Commons Public Bill Committee, ‘[Employment Rights Bill: Compilation of sittings](#)’, 16 January 2025, session 2024–5, 1st to 21st sittings, [cols 200–3](#).



- Amendment 131 would have excluded higher education institutions and hospitality providers from the bill's duties for employers not to permit harassment of their employees. It was rejected by 14 votes to 4.⁷³
- Amendment 168 would have changed the issues within the School Support Staff Negotiating Body's remit for academy staff, "limiting it to the creation of a framework to which academy employers must have regard in all but exceptional circumstances". It was rejected by 12 votes to 3.⁷⁴
- Amendment 126 would have required trade unions to notify their members every year of their right to opt out of the union's political fund, and to obtain an annual opt-in to the political fund from their members. It was rejected by 11 votes to 3.⁷⁵
- Amendment 167 would have increased the notice period for trade unions notifying employers about future industrial action from seven to 21 days. It was rejected by 11 votes to 4.⁷⁶

The Liberal Democrats divided the committee on a proposed new clause that would have required ministers to consult on allowing employees at companies with more than 250 employees the opportunity to take time off to volunteer. It was rejected by 13 votes to 2.⁷⁷

For a detailed summary of discussions during the oral evidence sessions, government amendments made to the bill and opposition proposals during committee stage, see:

- House of Commons Library, '[Employment Rights Bill 2024–25: Progress of the bill](#)', 5 March 2025

3.3 Consultation responses and government amendments

On 4 March 2025, ahead of the bill's report stage in the House of Commons, the government responded to the consultations on zero-hours contracts, collective redundancy and fire and rehire, industrial relations, and statutory sick pay it had launched on 12 October

⁷³ As above, [cols 371–2](#).

⁷⁴ As above, [cols 475–87](#).

⁷⁵ As above, [cols 533–44](#).

⁷⁶ As above, [cols 565–8](#).

⁷⁷ As above, [cols 765–67](#).



2024.⁷⁸ It also responded to a consultation on tackling non-compliance in the umbrella company market launched by the previous Conservative government in June 2023.⁷⁹ A press release from the Department of Business and Trade highlighted changes the government would bring forward following these consultations:

- **Application of zero hours contracts measures to agency workers:** All workers, including up to 900,000 agency workers in the UK, should be able to access a contract which reflects the hours they regularly work. These amendments will ensure that agency work does not become a loophole in our plans to end exploitative zero-hours contracts. They will offer increased security for working people to receive reasonable notice of shifts and proportionate pay when shifts are cancelled, curtailed or moved at short notice—whilst retaining the necessary flexibility for employers in how they manage their workforces.
- **Strengthening remedies against abuse of rules on collective redundancy:** The government will increase the maximum period of the protective award from 90 days to 180 days and issue further guidance for employers on consultation processes for collective redundancies. Increasing the maximum value of the award means an employment tribunal will be able to grant larger awards to employees for an employer's failure to meet consultation requirements. We want to enhance the deterrent against employers deliberately ignoring their collective consultation obligations and ensure it is not financially beneficial to do so.
- **Creating a modern framework for industrial relations:** The government is updating the legislative framework in which trade unions operate to align it with modern work practices. We are ensuring industrial relations are underpinned by collaboration, proportionality, accountability, and a system that balances the interests of workers, businesses and the wider public, with further details in the consultation response.
- **Strengthening statutory sick pay:** The government will ensure the safety net of statutory sick pay is available to those who need it the most, making it a legal right for all workers for the very first time. Up to 1.3 million employees

⁷⁸ Department for Work and Pensions, '[Making work pay: Strengthening statutory sick pay](#)', updated 4 March 2025; and Department for Business and Trade, '[Making work pay: Application of zero-hours contracts measures to agency workers](#)', updated 4 March 2025; '[Making work pay: Creating a modern framework for industrial relations](#)', updated 4 March 2025; and '[Making work pay: Collective redundancy and fire and rehire](#)', updated 4 March 2025.

⁷⁹ HM Treasury, '[Tackling non-compliance in the umbrella company market](#)', updated 4 March 2025. An umbrella company is a business often used by recruitment agencies to pay temporary workers (HM Revenue and Customs, '[Working through an umbrella company](#)', updated 3 December 2024).



on low wages who find themselves unable to work due to sickness will either receive 80 percent of their average weekly earnings or the current rate of statutory sick pay—whichever is lower. We are also ensuring employees have a right to statutory sick pay from the first day of sickness absence, so they are able to take the time off they need to recover and stay in work rather than risk dropping out altogether. The changes will also reduce the [number] of people going to work when ill and therefore the spread of infections in the workplace—boosting productivity and benefiting businesses.

- **Tackling non-compliance in the umbrella company market:** The government will act to ensure that workers can access comparable rights and protections when working through a so-called umbrella company as they would when taken on directly by a recruitment agency. Enforcement action can be taken against any umbrella companies that do not comply.⁸⁰

A written statement issued on the same date provided more detail, including that some of the changes would be introduced by regulations at a later date and that these would in turn be subject to further consultation.⁸¹ It also listed specific changes to the legislative framework for trade unions, including amendments to:

[...] abolish the 10-year requirement for unions to ballot members on political fund maintenance, simplify the information requirements for industrial action ballots and notice to employers, extend the expiry of mandate for industrial action from six to 12 months, and ensure that trade unions provide a 10-day notice period for industrial action.

The consultation response documents provided further detail on the substance of the changes the government was proposing to make to the bill as amended in committee.⁸² They also listed issues on which the government intended to gather further views in due course, for example on reforming the collective redundancy framework, updating codes of practice (including on dismissal and reengagement) and allowing electronic voting for statutory trade union ballots.

⁸⁰ Department for Business and Trade, '[Employment Rights Bill to boost productivity for British workers and grow the economy](#)', 4 March 2025.

⁸¹ House of Commons, '[Written statement: Making work pay: Government responses to consultation package \(HCWS490\)](#)', 4 March 2025.

⁸² For the full text of amendments, see: House of Commons, '[Employment Rights Bill: Report stage amendment paper \(day 1\)](#)', 11 March 2025; and '[Employment Rights Bill: Report stage amendment paper \(day 2\)](#)', 12 March 2025.



3.4 Report stage

Report stage took place in the House of Commons on 11 and 12 March 2025.⁸³ MPs tabled hundreds of amendments in advance, of which almost 300 were government amendments, including 29 new clauses and two new schedules.⁸⁴ All of the government amendments were agreed.

Government position and divisions

Opening the debate on behalf of the government, Justin Madders confirmed the five consultation responses published on 4 March 2025 represented the “first phase of formal public consultations on how best to put our plans into practice”.⁸⁵ He later suggested that further stages of consultation would include, for example, the threshold at which collective redundancy obligations would be triggered across an organisation. He touched on this theme when winding up during the first day of debate:

To conclude, Britain’s working people and businesses are the driving force of the UK economy, and the bill will help to create a labour market that delivers for both. It will deliver significant benefits to the UK, including better working conditions, more secure work, reduced inequalities and improved industrial relations. I appreciate that I have outlined a lot of detail today, but it is important to remember that, as is typical with any legislation of this nature, many of the policies will be provided for through regulations and, in some cases, through codes of practice. We expect further consultations on these reforms to begin later in the year, when we will seek significant input from stakeholders.⁸⁶

Mr Madders later said the bill represented a “generational shift in protection, a long-overdue reinforcement of workers’ rights in this country, and tangible proof of how a Labour government can bring meaningful benefit to people’s lives”.⁸⁷

⁸³ [HC Hansard, 11 March 2025, cols 818–911](#) and [912–1014](#); and [HC Hansard, 12 March 2025, cols 1066–228](#).

⁸⁴ House of Commons, ‘[Employment Rights Bill: Report stage amendment paper \(day 1\)](#)’, 11 March 2025; and ‘[Employment Rights Bill: Report stage amendment paper \(day 2\)](#)’, 12 March 2025. One amendment removed an existing clause and one new clause replaced an existing clause.

⁸⁵ [HC Hansard, 11 March 2025, col 854](#).

⁸⁶ [HC Hansard, 11 March 2025, cols 862–3](#).

⁸⁷ [HC Hansard, 12 March 2025, col 1148](#).



The House divided on two government amendments during report stage. New clause 39 (now clause 57) replaced clause 51 in the version of the bill as amended in public bill committee. This introduced new schedule 2 (now schedule 6) on trade union recognition. The House accepted the new clause by 337 votes to 98, and the new schedule by 333 votes to 100.⁸⁸

Conservative Party position and divisions

Speaking on the first day of report stage on behalf of the Conservative Party, Greg Smith, shadow parliamentary under secretary of state for business and trade, repeated his party's criticisms of the government for having introduced the bill before it had completed relevant consultations:

After 21 sittings in the public bill committee, the government are still tabling hundreds of amendments to the bill. That highlights once again that their false political deadline of 100 days in which to publish the bill was foolhardy. They should have taken better time.⁸⁹

He continued:

This is a bad bill. Although it contains many good and well-intentioned measures, the government have failed to get the balance right between employees and employers. Although I welcome some of the minister's comments [...] I am afraid that the government have got the balance wrong in the vast majority of the bill. The amendments in the names of right hon. and hon. friends in His Majesty's loyal opposition seek to highlight how the bill simply goes too far in too many regards: it will affect our economy, it will affect the number of people who have a job, and it will affect the willingness of employers—the wealth and job creators—to take on new staff, to grow, to put new product lines in place and to keep employing people.

⁸⁸ House of Commons, '[Employment Rights Bill: Division 118](#)', 12 March 2025; and '[Employment Rights Bill: Division 122](#)', 12 March 2025.

⁸⁹ [HC Hansard, 11 March 2025, col 863](#).



Speaking on the second day of report stage, Mr Smith contended that the government’s amendments would “harm our economy, destroy jobs, and just give more power to the trade unions”.⁹⁰

The House divided on the following proposed changes to the bill tabled by the Conservative frontbench during report stage:

- New clause 87 would have required ministers to “have regard to the objective of the international competitiveness of the economy and its growth in the medium to long term” when making regulations under parts 1 and 2 of the bill. It was rejected by 340 votes to 106.⁹¹
- Amendment 288 would have left out clause 18 (now clause 20) concerning the proposed duty on employers to not permit the harassment of employees by third parties. It was rejected by 409 votes to 105.⁹²
- Amendment 291 would have left out clause 52 (now clause 59) concerning requirements to contribute to a trade union political fund. It was rejected by 324 votes to 164.⁹³
- Amendment 297 would have increased the notice period for trade unions notifying employers about future industrial action from seven to 14 days. It was rejected by 328 votes to 167.⁹⁴

Liberal Democrat position and divisions

Speaking on behalf of the Liberal Democrats on the first day of report stage, Steve Darling, spokesperson on work and pensions, urged the government to consider Liberal Democrat proposals on making leave for carers a paid opportunity, making caring a protected characteristic, doubling the pay of those taking adoption leave, and supporting kinship carers.⁹⁵ He added that his party supported the government’s proposals on third-party harassment and would “really welcome putting a three to nine-month probationary period

⁹⁰ [HC Hansard, 12 March 2025, col 1090.](#)

⁹¹ House of Commons, ‘[Employment Rights Bill: Division 116](#)’, 11 March 2025.

⁹² House of Commons, ‘[Employment Rights Bill: Division 117](#)’, 11 March 2025.

⁹³ House of Commons, ‘[Employment Rights Bill: Division 120](#)’, 12 March 2025.

⁹⁴ House of Commons, ‘[Employment Rights Bill: Division 121](#)’, 12 March 2025.

⁹⁵ [HC Hansard, 11 March 2025, cols 876–8.](#)



on the face of the bill” to reduce the chance of “expensive tribunals for employers”. He concluded:

The reality is that we need to support small businesses and get the right balance between implementing the good stuff in this bill and making sure that we are not punishing businesses. We need to make sure that we support the family, because, as I have said, the family is the core part of what our society is, and strengthening that will hopefully strengthen outcomes and strengthen our society.⁹⁶

Speaking on the second day of report stage, the Liberal Democrats’ Treasury spokesperson, Daisy Cooper, said her party had “indicated our support for many aspects of the Employment Rights Bill”, including “boosting statutory sick pay, strengthening parental pay and leave, and giving people on zero-hours and low-hours contracts more certainty”.⁹⁷ However, she added that a “lot of crucial detail has been left to secondary legislation, to lots of new government amendments and to continuing consultations”. She said this made it “impossible to explicitly endorse the bill as a whole at this stage”. Ms Cooper later urged the government to conduct a review of the bill’s impact on small businesses:

Throughout the bill’s passage, we have expressed concern about the cumulative impact of all the government’s work in this area and the impact it will have on small businesses in particular [...] Small businesses are telling me that, taking the measures of the employment bill together with the changes to national insurance and business rates and everything else, they feel overwhelmed.⁹⁸

The House divided on two Liberal Democrat proposals during report stage:

- New clause 10 would have made carer’s leave a paid entitlement. It was rejected by 323 votes to 95.⁹⁹
- New clause 110 would have required ministers to publish a review of the impact of the bill’s provisions on trade unions and industrial action on SMEs within three months of the bill receiving royal assent. It was rejected by 314 votes to 168.¹⁰⁰

⁹⁶ [HC Hansard, 11 March 2025, col 878.](#)

⁹⁷ [HC Hansard, 12 March 2025, cols 1092–4.](#)

⁹⁸ [HC Hansard, 12 March 2025, cols 1092–4.](#)

⁹⁹ House of Commons, ‘[Employment Rights Bill: Division 114](#)’, 11 March 2025.

¹⁰⁰ House of Commons, ‘[Employment Rights Bill: Division 119](#)’, 12 March 2025.



Other matters raised at report stage

The House divided on a new clause tabled by Sir Ashley Fox (Conservative MP for Bridgwater) cosigned by MPs from a range of parties.¹⁰¹ New clause 30 would have provided for employees who were special constables the right to time off to carry out their police duties. It was rejected by 324 to 189.¹⁰²

A wide range of other MPs raised issues that were the subject of tabled amendments. For example, Liam Byrne (Labour), chair of the House of Commons Business and Trade Committee, tabled a series of amendments to:¹⁰³

- abolish the definition of “low hours” in contracts
- define “reasonable notice” in relation to the moving of shifts and compensation arrangements for “unreasonable shift movements”
- create a duty on ministers to conduct a review of government policy on the single status of ‘worker’ (to help eliminate bogus self-employment) and publish the findings within six months
- update the [Modern Slavery Act 2015](#) to ensure the rights granted in the bill were not undermined by companies exploiting workers abroad
- require ministers to review the resourcing of the Fair Work Agency
- specify that unions access to workplaces would include digital means of communication with workers

Mr Byrne added that he supported government amendments on protections for agency workers and on umbrella companies. These areas had been the subject of recommendations in the Business and Trade Committee’s report on the bill published on 3 March 2025.¹⁰⁴

Sarah Owen (Labour), chair of the House of Commons Women and Equalities Committee, tabled amendments cosigned by a number of MPs to ensure bereavement leave was available

¹⁰¹ The signatories included MPs affiliated with the Conservatives, Liberal Democrats, Green Party, Plaid Cymru, Alliance, and the SNP, DUP, SDLP, UUP and TUV, as well as an independent MP.

¹⁰² House of Commons, [‘Employment Rights Bill: Division 115’](#), 11 March 2025.

¹⁰³ [HC Hansard, 11 March 2025, cols 874–6.](#)

¹⁰⁴ House of Commons Business and Trade Committee, [‘Make work pay: Employment Rights Bill’](#), 3 March 2025, HC 370 of session 2024–25.



following pregnancy loss.¹⁰⁵ This issue had been the subject of a committee report published in January 2025.¹⁰⁶

Justin Madders replied that the government would consider amendments on miscarriage bereavement leave when the bill reached the House of Lords. He said:

We fully accept the principle of bereavement leave for pregnancy loss, as addressed by the amendments. We look forward to further discussions with my hon. friend and noble Lords as the bill moves on to its stages in the other place. Bereavement is not an illness or a holiday, and it needs its own special category.¹⁰⁷

Stella Creasy (Labour (Co-op) MP for Walthamstow) tabled a new clause, cosigned by a number of MPs, that would have required ministers to consult on a period of protected paternity or parental partner leave and bring in such leave by regulations at a subsequent date.¹⁰⁸ Mr Madders said the government was “committed to reviewing the parental leave system” and a review would be “conducted separately from this bill”.¹⁰⁹ He added that work was “already under way across government on planning for its delivery” and the review would begin before the bill received royal assent. Ms Creasy later said she understood this to mean the review would begin in June 2025.¹¹⁰

Louise Haigh (Labour MP for Sheffield Heeley) tabled a new clause also cosigned by a number of MPs, including Layla Moran (Liberal Democrat MP for Oxford West and Abingdon) that would have required ministers to “make regulations to void any non-disclosure agreement [NDAs] insofar as it prevents the worker from making a disclosure about harassment (including sexual harassment), with relevant exceptions at the worker’s request”.¹¹¹ Mr Madders replied: “I recognise that non-disclosure agreements are an important question that warrants further consideration, and we will continue to look at the issues raised”. He had earlier said the government was “pressing ahead with plans to

¹⁰⁵ [HC Hansard, 11 March 2025, cols 925–7.](#)

¹⁰⁶ House of Commons Women and Equalities Committee, [‘Equality at work: Miscarriage and bereavement leave’](#), 15 January 2025, HC 335 of session 2024–25.

¹⁰⁷ [HC Hansard, 11 March 2025, col 861.](#)

¹⁰⁸ [HC Hansard, 11 March 2025, cols 909–11.](#)

¹⁰⁹ [HC Hansard, 11 March 2025, cols 950–1.](#)

¹¹⁰ [HC Hansard, 11 March 2025, col 951.](#)

¹¹¹ [HC Hansard, 11 March 2025, cols 882–5](#) and [cols 888–90.](#)



implement the provisions relevant to NDAs in the [Victims and Prisoners Act 2024](#) and the [Higher Education \(Freedom of Speech\) Act 2023](#)".¹¹² However, he added:

Members want to ensure equal protection in relation to NDAs concerning harassment across the economy, and I absolutely hear what they have said. However, we have to acknowledge that this would be a far-reaching change, and it would be to take a significant step without properly engaging with workers, employers and stakeholders, and assessing the impact on sectors across the economy. I want to reiterate that I recognise that non-disclosure agreements are an important question that warrants further consideration, and we will continue to look at the issues raised.¹¹³

3.5 Third reading

Third reading took place immediately following report stage.¹¹⁴ Angela Rayner, deputy prime minister and secretary of state for housing, communities and local government, repeated the government's rationale for introducing the "landmark bill". She described it as a "once-in-a-generation chance to reshape the world of work, to drive a race to the top on standards, to deliver growth and to build an economy that works for everyone". Andrew Griffith, shadow secretary of state for business and trade, replied by summarising the Conservative Party's criticisms of the bill's provisions. He said it was a "sad day for business and a bad day for Parliament", and that his party could not support what he described as a "terrible bill".

The bill then passed third reading by 333 votes to 100.¹¹⁵

4. Selected reaction to the proposals in the bill

4.1 Trade unions

Trade unions have generally welcomed the bill, though have in some cases called for further measures to be taken. For example, Paul Nowak, general secretary of the Trades Union

¹¹² [HC Hansard, 11 March 2025, col 862.](#)

¹¹³ [HC Hansard, 11 March 2025, cols 949–50.](#)

¹¹⁴ [HC Hansard, 12 March 2025, cols 1222–8.](#)

¹¹⁵ House of Commons, '[Employment Rights Bill: Division 123](#)', 12 March 2025.



Congress (TUC), called the bill as introduced in the House of Commons a “landmark piece of legislation” that was “genuinely transformative” and represented a “positive and ambitious plan to make work pay”.¹¹⁶ Mr Nowak added the bill was a “crucial first step towards delivering better quality employment right across the UK”, but warned there was “still much to do to make sure the bill delivers new rights effectively”. The TUC expanded on this point when the bill passed the House of Commons, saying further reforms were required. It listed the following examples:

- Some workers could receive less sick pay under these changes than they currently receive. This should be remedied and a review conducted to improve the paltry headline rate of SSP.
- A huge amount of detail will be set out in subsequent regulations laid by the government. It is crucial that new “initial periods of employment” during a worker’s first nine months in the job provide sufficient protection from unfair sacking, including a route to take a case to the employment tribunal. And that loopholes are not opened up stopping workers getting guaranteed hours contracts.
- The bill makes it easier for workers to gain recognition for their trade union. But leaves in place a law requiring a three-year gap between recognition attempts, benefiting union-busting employers. This gap should be significantly reduced.
- The government will delay the repeal of a Tory measure that requires a 50 percent turnout for a strike law to be valid until after it has introduced electronic balloting.
- The government has pledged to reform current employment status rules that govern whether someone is self-employed, a worker with some rights, or an employee with full rights. An overhaul is needed to stop exploitative employers attempting to deny workers their protections.¹¹⁷

Gary Smith, general secretary of the GMB union, described the bill as “far from perfect”, but said it still represented a “massive step forward for the lives and wellbeing of working people”.¹¹⁸

¹¹⁶ TUC, [‘The Employment Rights Bill: A potential gamechanger’](#), 14 October 2024. See also: TUC, [‘A massive boost to workers’ rights: new Employment Rights Bill’](#), 10 October 2024

¹¹⁷ TUC, [‘New protections for workers closer as Employment Rights Bill approved by MPs’](#), 13 March 2025.

¹¹⁸ GMB, [‘ERB ‘far from perfect but massive step forward’](#)’, 4 March 2025. See also: GMB, [‘ERB vote ‘will improve lives of millions’](#)’, 12 March 2025.



Christina McAnea, general secretary of UNISON, said the scope of the proposed legislation was “hugely ambitious”, but added “as always, the devil will be in the detail”.¹¹⁹ UNISON later said it “strongly” welcomed the government amendments at report stage in the House of Commons, and described the overall package of measures in the bill as “game-changing”.¹²⁰ However, it added it was “disappointed that the government plans to retain the 50 percent participation threshold in industrial action ballots until it’s ready to implement digital balloting”. It did however say it recognised the government’s “continuing commitment to repeal the threshold” and urged ministers to prioritise secondary legislation to commence the repeal. Looking beyond the measures in the bill, UNISON also said it thought further work was required to revise immigration rules “which leave migrant workers vulnerable to the worst forms of exploitation and at the mercy of unscrupulous employers”.

Sharon Graham, general secretary of Unite, initially described the bill as “without doubt a significant step forward for workers” but added that it “stops short of making work pay”.¹²¹ She later welcomed government amendments at report stage, which her union described as strengthening elements of the bill, but said further improvements were needed. These included “further action to ensure an outright ban on fire and rehire” and “stronger measures to ensure unions have a right of access to workplaces to organise workers”. Ms Graham said:

The government will come to realise that not introducing an outright ban on fire and rehire is a mistake. The new rules will continue to allow the most unscrupulous firms to use this disgraceful practice. Fire and rehire should be banned outright—no ifs or buts.¹²²

Unite called for further amendments in the House of Lords on these areas.

4.2 Employer groups

The British Chambers of Commerce (BCC) noted the bill would make “some of the most significant and wide-ranging changes to employment laws for decades”.¹²³ However, it

¹¹⁹ UNISON, [‘Christina McAnea: The Employment Rights Bill will balance the scales’](#), 3 October 2024.

¹²⁰ UNISON, [‘MPs debate revised Employment Rights Bill this week’](#), 10 March 2025.

¹²¹ Unite, [‘Employment Rights Bill: A step forward for workers but stops short of making work pay’](#), 10 October 2024.

¹²² Unite, [‘Employment Rights Bill: Government strengthening of workers’ rights welcomed. An important first step, Unite’](#), 4 March 2025.

¹²³ British Chambers of Commerce, [‘Business concerned by Employment Rights Bill’](#), 26 November 2024.



expressed concern that “major decisions have been taken and written into the bill without detailed consultation with business” and that the “government’s own assessment suggests that the legislation will cost businesses almost £5bn per year, with SMEs impacted the most”. Speaking in November 2024, Shevaun Haviland, director general of the BCC, said:

Businesses welcome the overall aim of this bill to guarantee job security, offer employees a fair reward and provide them with workplaces free from discrimination. But the scale and scope of the changes is huge, with many feeling they are being rushed through at breakneck speed. The budget has already left many firms feeling bruised, and if this legislation is enacted as it stands, it could hamper growth, restrict recruitment and lead to job losses. Firms are particularly concerned about the lack of detailed consultation on the trade union changes, especially when the government’s own assessment was so vague about the impact. Overall, there is a lot in the Employment Rights Bill that reinforces much of what good businesses already do. But the fear remains that certain elements could create huge costs for firms and damage the UK’s ambitions for growth.¹²⁴

Commenting after the government had responded to the consultations in early March 2025, Jane Gratton, deputy director of public policy at the BCC, stated:

Employers will be relieved to see some amendments, at what is clearly a milestone moment for government. It has consulted business—and this is reflected in some of the decisions on the future shape of the legislation. There is much here to welcome as sensible moves that will help ensure that employment works for both the business and the individual [...] But businesses remain cautious, and it is important to continue ensuring the bill strikes the right balance. Employers will look forward to hearing, engaging with and shaping further detail. The government must continue its positive approach to engagement with firms and remain open to changes. Doing so will ensure this legislation is proportionate, affordable, and right for both firms and their employees.¹²⁵

Rain Newton-Smith, chief executive of the Confederation of British Industry (CBI), initially said the government “deserves credit for its willingness to engage with businesses and unions on how to make a success of the ‘Plan to make work pay’”.¹²⁶ However, speaking in March

¹²⁴ As above.

¹²⁵ Department for Business and Trade, ‘[Employment Rights Bill to boost productivity for British workers and grow the economy](#)’, 4 March 2025.

¹²⁶ Confederation of British Industry, ‘[CBI CEO responds to Employment Rights Bill](#)’, 10 October 2024.



2025, Ms Newton-Smith suggested the government had not made key changes businesses had requested. She said:

The government has rightly won plenty of recent plaudits from business for their willingness to take tough decisions in the face of opposition that will help deliver the sustainable growth mission. But there is no getting away from the fact that this bill will hinder the efforts of business to play their part in turning that mission into reality, at a time when many are continuing to struggle with the increasing cost of doing business.

The government has been commendably open to seeking feedback from industry about these plans. But businesses will remain deeply concerned that this willingness to engage has not translated into meaningful change on several key areas where the legislation locks in an irreversible direction of travel. Many businesses have told us that it is the unintended consequences of how these policies will be pursued, not the ideas themselves, which will have damaging consequences for growth, jobs and investment. There is a real risk that this legislation imposes a thicket of regulation across all businesses which prevents them from creating the high-quality, secure jobs which we all want to achieve.¹²⁷

The Federation of Small Businesses (FSB) has been more critical. It alleged “nine in ten small employers have concerns about measures in the Employment Rights Bill” and that the government’s plans would “harm recruitment and lead to a spiralling benefits bill”.¹²⁸ Speaking in March 2025, Tina McKenzie, the FSB’s policy chair, summarised her group’s concerns:

The chief concerns among small businesses remain the threat of being taken to court as soon as they take a risk hiring someone, the affordability of proposals on sick pay, and the sheer unworkability of other parts of this mass of complex new rules.¹²⁹

¹²⁷ Confederation of British Industry, [‘CBI responds to publication of amendments to the Employment Rights Bill’](#), 4 March 2025.

¹²⁸ Federation of Small Businesses, [‘New research shows scale to which Labour’s employment plan will harm jobs, lock people out of work and cause spiralling benefits bill’](#), 6 January 2025.

¹²⁹ Federation of Small Businesses, [‘Missed opportunity to remove threats to jobs and growth from employment bill’](#), 4 March 2025.



4.3 Further reaction

The Hansard Society has described the bill as “primarily ‘framework’ or ‘skeleton’ legislation”, with much detail left to secondary legislation to be made at a later date.¹³⁰ It said the “160 amendments and new clauses that were inserted in the bill by the government during committee stage” and the “swathe of further amendments” at report stage reinforced this characterisation. Commenting ahead of report stage, it expanded on this criticism, saying:

This approach was driven by the government’s pledge to introduce the bill within 100 days of the general election—an arbitrary deadline that left insufficient time for thorough consultation and policy development before publication. The practice of introducing legislation in such an incomplete form and then making substantial changes later in the parliamentary process poses a serious challenge to parliamentary scrutiny. The bill debated at second reading and in committee may end up bearing little resemblance to the version that emerges after report stage—not due to amendments refining its original provisions, but because of the late insertion of entirely new policy measures. In this case, many of these new provisions are not direct responses to debates in committee but rather the result of external consultations that were only completed after the bill had already been introduced. Had the bill been prepared in line with good legislative practice, these consultations would have been conducted and concluded before drafting began, ensuring that key policy decisions were embedded from the outset.¹³¹

Lucy Moxham, a senior fellow at the Bingham Centre for the Rule of Law, argued the skeleton nature of the legislation and anticipated changes following consultations run in parallel with the legislative process “raise rule of law concerns”.¹³² She said this was because it was recognised the “scope of executive law-making powers, whether law-making procedures allow sufficient scrutiny of proposed legislation, and whether the resulting legal frameworks provide legal certainty, all impact on the rule of law”. She also argued that “excessive use of delegated legislation is a threat to the rule of law and to democratic lawmaking”. Ms Moxham urged Parliament to “carefully consider” whether the government’s “new approach” to the use of delegated legislation, as set out by Attorney General Lord

¹³⁰ Hansard Society, [‘Parliament Matters Bulletin: What’s coming up in Parliament this week? \(21–25 October 2024\)’](#), 20 October 2024.

¹³¹ Hansard Society, [‘Parliament Matters Bulletin: What’s coming up in Parliament this week? \(10–14 March 2025\)’](#), 9 March 2025.

¹³² Lucy Moxham, [‘A first look at the Employment Rights Bill and what is left unsaid: Delegated powers, planned consultations and government amendments’](#), Bingham Centre for the Rule of Law, 24 October 2024.



Hermer when he said the “excessive reliance on delegated powers, Henry VIII clauses, or skeleton legislation upsets the proper balance between Parliament and the executive”, had been met in the case of the Employment Rights Bill as it progressed through both Houses.¹³³

The following briefings contain further overviews of the wide range of political and other reaction to many of the provisions covered by the bill:

- House of Commons Library, [‘Employment Rights Bill 2024–25’](#), 18 October 2024
- House of Commons Library, [‘Employment Rights Bill 2024–25: Progress of the bill’](#), 5 March 2025

5. Read more

5.1 Committee reports

- House of Commons Business and Trade Committee, [‘Make work pay: Employment Rights Bill’](#), 3 March 2025, HC 370 of session 2024–25
- House of Commons Women and Equalities Committee, [‘Equality at work: Miscarriage and bereavement leave’](#), 15 January 2025, HC 335 of session 2024–25

5.2 Briefings and other sources

- House of Lords Library, [‘King’s Speech 2024: Economic affairs, business and trade’](#), 11 July 2024
- House of Commons Library, [‘Trade unions and industrial relations’](#), 5 January 2024; [‘Key employment rights’](#), 24 May 2024; [‘Employment status’](#), 12 July 2024; [‘Statutory sick pay’](#), 20 August, 2024; [‘Flexible working’](#), 9 September 2024; [‘Zero-hours contracts’](#), 4 October 2024; and [‘Adult social care workforce in England’](#), 10 October 2024

¹³³ Attorney General’s Office, [‘Attorney general’s 2024 Bingham Lecture on the rule of law’](#), 15 October 2024.

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