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Employment Rights Bill – Timetable for Implementation

Unless otherwise stated, the information contained in the tables below is taken from the Government’s roadmap for implementing the Employment Rights Bill. The timings contained herein may be subject to change

Topic	Summary of Change	Implementation Date
Minimum Service Levels for Strikes	Removal of rules requiring minimum service levels during strikes.	18 Dec 2025
Threshold Removal for Industrial Action	Removal of requirement that 40% of eligible workers vote in important public service industrial action ballots.	18 February 2026
Notice Period for Industrial Action	Notice required before industrial action reduces from 14 to 10 days.	18 February 2026
Validity Period for Industrial Action	Ballot validity increases from 6 months (or 9 with agreement) to 12 months.	18 February 2026
Information Requirements for Industrial Action	Reduction in information unions must include on ballot notices and notifications.	18 February 2026
Picket Supervisors	Requirement for picket supervisors removed.	18 February 2026
Trade Union Political Funds	Members automatically opted into political funds (with right to opt out).	18 February 2026
Protection from Unfair Dismissal for Industrial Action	Removal of 12 week protected period; protection applies regardless of action length.	18 February 2026
Simple Majority for Industrial Action	Unions need only a simple majority to vote for industrial action.	February 2026
Day One Right - Paternity Leave	Paternity leave becomes a day one right; statutory pay still requires 26 weeks’ service and earnings threshold.	April 2026
Paternity Leave After Shared Parental Leave	Paternity leave can be taken after shared parental leave.	Apr 2026
Day One Right – Parental Leave	Ordinary parental leave becomes a day one right.	Apr 2026
Day One & Eligibility – Statutory Sick Pay (SSP)	SSP payable from day one; lower earnings limit removed; SSP capped at statutory rate or 80% of weekly earnings.	April 2026

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Protective Award in Collective Redundancies	Maximum protective award increases from 90 to 180 days' pay.	April 2026
Sexual Harassment Whistleblowing Protections	Sexual harassment becomes a qualifying disclosure under Whistleblowing law giving protection from detriment & unfair dismissal when making sexual harassment disclosure.	April 2026 01892 726060 / 0204 541 9436
Menopause & Gender Pay Action Plans	Create action plans around menopause and gender pay gaps.	April 2026 (voluntary) Mandatory from 2027
Fair Work Agency	New enforcement body created; phased introduction.	April 2026 (phased)
Fire & Rehire Restrictions	Dismissing someone then rehiring them on worse terms and conditions will become an automatically unfair dismissal in most cases.	October 2026
Right to Join a Union	Employers must include a statement confirming workers' right to join a union.	October 2026
Adult Social Care Negotiating Body	Industry wide body established; agreements may become binding across the sector.	October 2026
Duty to Prevent Sexual Harassment	Employers must take "all reasonable steps" to prevent sexual harassment of their employees.	October 2026
Tribunal Time Limits	Time limits for most claims to an employment tribunal increase from 3 to 6 month.	October 2026
Third Party Harassment	Employers will be liable for harassment by third parties unless reasonable steps taken.	October 2026
Tipping Consultation & Policy Requirements	Employers must consult workers or their representatives on tipping policies and update every 3 years.	October 2026
Trade Union Access to Workplace	Wider access rights for recruitment, organising, bargaining, including digital access.	October 2026
Accommodation for Union Reps	Right to reasonable accommodation and facilities for union reps.	October 2026
Union Equality Representatives	New statutory role with paid time off for equality duties.	October 2026
Protection from Detriment for Industrial Action	Workers protected from detriment for taking part in industrial action.	October 2026
Avoiding Two Tier Workforce	Regulations may require equal treatment for ex-public sector workers and private sector staff on outsourced contracts.	October 2026
Qualifying Period for Unfair Dismissal	Qualifying period reduces from 2 years to 6 months.	1 January 2027
New Threshold for Collective Redundancy	New alternative threshold for collective consultation (details in regulations).	2027

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Reasonable Refusal Test for Flexible Working	Employers must explain why refusal is reasonable; updated Code expected.	2027
Bereavement Leave	New right to one week of bereavement leave after the loss of a loved one.	2027
Guaranteed Hours for Zero Hours & Agency Workers	Right to guaranteed hours introduced.	2027
Shift Cancellation Pay	Workers must be paid if shifts are cancelled, moved, or cut short.	2027
Reasonable Notice of Shifts	Workers entitled to reasonable notice of shifts and compensation if not given.	2027
Sexual Harassment – Definition of “Reasonable Steps”	Regulations/Code will define what counts as reasonable steps following changes in October 2026.	2027
Extended Protections for Trade Union Blacklisting	Protections extend to third party and AI-generated blacklisting.	2027
Dismissal Protections for Pregnancy & Family Leave	Potential ban on dismissals during pregnancy, maternity leave, and return to work period; extended to other family leave.	2027
Removal of Cap on Compensatory Award	Cap on compensatory award for unfair dismissal removed	2027 (TBC)
NDA – Restrictions	NDA preventing disclosure of harassment/discrimination void unless part of an “excepted agreement”.	2027 (TBC)
Mandatory Menopause & Gender Pay Action Plans	Action plans become mandatory.	2027

For guidance, support and assistance with all ERB changes, please contact the team:

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