

EMPLOYMENT RIGHTS ACT IMPLEMENTATION

Introduction

In April we reported on implementation dates for some of the initial measures contained in the Employment Rights Act (ERA) 2025 and promised to keep reps and members updated as further information was made available.

The Government has recently confirmed a range specific additional dates when various additional new laws will come into operation. These are as follows:

- Measures for Electronic and workplace balloting for statutory trade union ballots comes into effect from **31st August 2026**,
- The time limit for bringing a claim to the Employment Tribunal will increase from 3 to 6 months on **1st October 2026**. (In Scotland, though, this change will take place for breach of employment contract claims on 9 November 2026)
- On **30 October 2026**, a series of new laws from the ERA will be introduced:

Trade union measures, including:

- the duty to inform workers of their right to join a trade union
- strengthening trade unions' right of access
- implementing reforms to access and unfair practices during the recognition and derecognition process, and all remaining trade union recognition measures, including freezing the bargaining unit when an application is received
- new rights and protections for trade union representatives
- extending protections against detriments for taking industrial action

The harassment measures, including:

- requiring employers to take 'all reasonable steps' to prevent sexual harassment of their employees

- introducing an obligation on employers not to permit the harassment of their employees by third parties
- introducing a power that will enable the minister to make regulations at a later date, specifying evidence-based steps which employers must take to prevent sexual harassment (this will complement not replace the broader legislative requirement to take all reasonable steps)

Further measures will be implemented from October 2026 and on into 2027 but at this stage we do not have precise dates. They include:

Measures that will take effect in January 2027

- reduction of unfair dismissal qualifying period to 6 months, for dismissals from 1 January 2027, and uncapping compensatory awards
- fire and rehire protections

Measures that will take effect in 2027

- action plans on gender equality and supporting employees through the menopause (mandatory)
- enhanced dismissal protections for pregnant women and new mothers
- extending blacklisting protections
- industrial relations framework
- regulation of umbrella companies
- collective redundancy – collective consultation threshold
- flexible working
- bereavement leave including pregnancy loss

Introduction of further measures in the Employment Rights Act 2025

TSSA intends to publish additional updates as new measures are introduced.

Reps' action

All TSSA reps who receive this Bulletin are requested to share it with the members and colleagues they represent.

We would also ask reps to speak to non-members about joining TSSA which can be done online at: <https://www.tssa.org.uk/join-tssa>

Acknowledgments

In preparing this Reps Bulletin we want to acknowledge material published by the UK Government¹ and advice received from the TUC.

¹ <https://www.gov.uk/government/publications/implementing-the-plan-to-make-work-pay-and-employment-rights-act/plan-to-make-work-pay-and-employment-rights-act-timeline-update>