

Revised timetable for implementation of the Employment Rights Act 2025

On 3 February the government published a [revised timetable](#) for implementation of the Employment Rights Act 2025 (**ERA**). Whilst most of the timing remains unchanged from the roadmap published in July 2025, there are some notable changes, particularly in relation to the restrictions on fire and rehire, which move to January 2027.

We set out below the revised timetable for changes under the ERA and otherwise.

February 2026

- The repeal of the great majority of the Trade Union Act 2016, simplifying requirements on trade unions in respect of ballot and action notices, removing the requirement for a picket supervisor and extending protection against dismissal for taking protected industrial action to the whole period of the action.
- Employees that are newly eligible for 'Day 1' paternity leave and unpaid parental leave can give notice.

1 April 2026

From 1 April 2026, the National Minimum Wage will increase, with the rate for workers aged 21+ rising to GBP12.71 per hour. The 18-20 age group rate rises to GBP10.85, and the 16-17 and apprentice rates increase to GBP8.00. The accommodation offset rises to GBP11.10.

6 April 2026

- Collective redundancy protective award – doubling the maximum period of the protective award. Guidance suggests this will apply to dismissals on or after 6 April.
- 'Day 1' paternity leave and unpaid parental leave.
- Whistleblowing – strengthening protections for workers who 'blow the whistle' on sexual harassment.
- Bereaved Partners' Paternity Leave will enable bereaved fathers and partners to take up to 52 weeks of paternity leave if the mother or primary adopter dies within the first year of the child's life.

- Statutory Sick Pay (SSP) – removing the Lower Earnings Limit (LEL) and waiting period.
- Action plans on gender equality and supporting employees through the menopause (voluntary).
- Menopause guidance.
- Simplifying the trade union recognition process.
- Statutory Maternity Pay, Maternity Allowance, Adoption Pay, and Shared Parental Pay increase to GBP194.32 per week (or 90% of earnings if lower).
- SSP increases to GBP123.25 per week (or 80% of pay if lower).

7 April 2026

The Fair Work Agency will be established, with Matthew Taylor CBE appointed as its first chair, but will not begin exercising its enforcement powers until a date yet to be confirmed.

July 2026

Although the reduction of the qualifying period for unfair dismissal does not take effect until January 2027, it will apply to employees already in employment at that date, meaning that anyone hired from the end of June 2026 onwards will gain the protection from January.

August 2026

Introduction of electronic and workplace balloting for statutory trade union ballots.

October 2026

- Bringing forward regulations to establish the Fair Pay Agreement Adult Social Care Negotiating Body in England.
- Procurement – two-tier code.
- Tightening tipping law.
- The duty to inform workers of their right to join a trade union.
- Strengthening trade unions' right of access.
- 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 to enable regulations to specify steps that are to be regarded as 'reasonable', to determine whether an employer has taken all reasonable steps to prevent sexual harassment.
- Regulation of unfair practices in the trade union recognition process.
- New rights and protections for trade union representatives.
- Extending protections against detriments for taking industrial action.
- Extension of employment tribunal time limits to six months (Not before October 2026).

January 2027

- Reduction of unfair dismissal qualifying period to six months for dismissals from 1 January 2027, and removal of the statutory caps on unfair dismissal compensation.
- Restrictions on fire and rehire.

In 2027

- Action plans on gender equality and supporting employees through the menopause (mandatory).
- Enhanced dismissal protection for pregnant women and new mothers.
- Specifying steps that are to be regarded as 'reasonable', to determine whether an employer has taken all reasonable steps to prevent sexual harassment.
- Extending blacklisting protections.
- Industrial relations framework.
- Regulation of umbrella companies.
- Collective redundancy – new collective consultation threshold.
- Flexible working.
- Bereavement leave including pregnancy loss.
- Guaranteed hours contracts and shift notice for zero and low hours workers.
- Electronic and workplace balloting for recognition and derecognition ballots.

Timing still unknown

The ERA was amended to provide an obligation on employers to keep records of annual leave. Section 35 of the ERA introduces a new requirement for employers to keep records that are 'adequate to show' whether it has complied with its obligations in relation to annual leave. The form that these records take is up to the employer, but they must be kept for at least six years. The timing for implementation of this measure is not known.

The ERA will also introduce further restrictions on the use of non-disclosure agreements, but these are not mentioned in the revised timetable.