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TO

Amend the Equal Pay Act 1970; and to make provision about flexible working.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Amendment of the Equal Pay Act

- (1) The Equal Pay Act 1970 (c. 41) is amended as follows.
- (2) In section 1 (requirement of equal treatment for men and women in same employment), before paragraph (a) insert—
 - “(za) is objectively justified as reasonable;” 5
- (3) After section 2 insert—

“2ZA Equal pay audit

- (1) In the event that a court or employment tribunal finds that an employer has contravened a term modified or included by an equality clause, the employer shall be required to undertake an audit, to be known as an equal pay audit, and to make the results of the audit available in the prescribed manner. 10
- (2) In this section, “prescribed” means prescribed in regulations made by the Secretary of State.”

2 Statutory right to request contract variation: age of child 15

In section 80F(1)(b)(i) of the Employment Rights Act 1996 (c. 18) (statutory right to request contract variation), the following words are omitted—

- (a) “who has not reached the prescribed age or falls within a prescribed description and”; and
- (b) “(in either case)”.” 20

3 Short title and commencement

- (1) This Act may be cited as the Equal Pay and Flexible Working Act 2008.

- (2) This Act comes into force at the end of a period of two months beginning with the day on which this Act is passed.

Equal Pay and Flexible Working Bill [HL]

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To amend the Equal Pay Act 1970; and to make provision about flexible working.

Baroness Morris of Bolton

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