

Desktop Guide to HR - Notice Periods



Introduction

An employee who has worked for a company **continuously** for one month or more must give and receive notice of dismissal/redundancy or intention to leave. This period is typically referred to as the 'notice period' and must be set out as part of a written statement of employment particulars which you must issue to your employee within two months of them starting work.

There is no statutory notice period if they have worked for less than a month.

What does the law say about notice periods?

The **minimum** legal notice period to be given by an **employer** is:

- one week's notice if the employee has been employed by the employer continuously for one month or more, but for less than two years
- two weeks' notice if the employee has been employed by the employer continuously for two years, and one additional week's notice for each further complete year of continuous employment, up to a maximum of 12 weeks

Employees are entitled to pay and all contractual benefits during their notice period or pay in lieu.

This applies whether employees are:

- off sick
- on holiday
- temporarily laid off
- on maternity/paternity/adoption leave
- ready and willing to work, but the employer does not give them any work

--- PLEASE NOTE ---

The information set out in this document is correct at 1st February, 2010. As the legislation that applies in this article/document is general in its context, your specific circumstances may require tailored advice for it to be effective. If in doubt, contact Crispin Rhodes on 01908 230969 or email angela@crispinrhodes.co.uk