

Statutory Document No. 2016/0219

*Employment Act 2006*

EMPLOYMENT (MAXIMUM AMOUNT OF A WEEK'S PAY) ORDER 2016

Approved by Tynwald: 21 July 2016
Coming into Operation: 1 August 2016

The Department of Economic Development makes the following Order under paragraph 10 of Schedule 6 to the Employment Act 2006.

1 Title

This Order is the Employment (Maximum Amount of a Week's Pay) Order 2016.

2 Commencement

If approved by Tynwald¹ this Order comes into operation on 1 August 2016.

3 Interpretation

In this Order –

“**the Act**” means the Employment Act 2006;

“**the appropriate date**” means, in the case of an award or payment specified in column 1 of the Schedule, the date specified in relation to it in column 2 of the Schedule.

4 Maximum amount of a week's pay

- (1) Subject to paragraph (2), the sum of £540 is prescribed for the purpose of the awards and payments specified in paragraph 10 of Schedule 6 to the Act (maximum amount of a week's pay).
- (2) Where the appropriate date is before 1 August 2016, the sum of £480 is prescribed for the purpose of the awards and payments specified in paragraph 10 of Schedule 6 to the Act.

¹ As required by section 175(1) of the Employment Act 2006.

5 Revocation

The Employment (Maximum Amount of a Week's Pay) Order 2009² is revoked.

MADE 22 JUNE 2016

LAURENCE SKELLY

Minister for Economic Development

² SD 225/09.

SCHEDULE

[Article 3]

THE APPROPRIATE DATE

<i>Column 1</i>	<i>Column 2</i>
<i>Award or payment</i>	<i>Appropriate date</i>
1. Award under section 17(8)(b)(ii) of the Act (award for failing to issue a written statement: stand-alone case).	The date the employee made a written request to his employer for a statement in accordance with section 17(8)(a) of the Act.
2. Award under section 18(2) of the Act (failure to issue a written statement: other cases).	The date the Tribunal hearing takes place or, where the hearing lasts longer than one day, the first day of the hearing.
3. Award under section 25(4)(c) of the Act (deductions from wages etc.).	<ul style="list-style-type: none"> • The date of payment of the wages; or • the date when the payment was received by the employer; or • where a series of deductions or payments is made or a number of payments received by the employer, the date of the last deduction or payment in the series or the last of the payments so received, in accordance with section 25(3) of the Act.
4. Award under section 42(4) of the Act (time off to look for work).	The day on which the time off should have been allowed or the failure occurred or, where there is more than one day, the first of those days.
5. Award under section 102 of the Act (flexible working).	The relevant date as defined by section 101(6) of the Act.
6. Award of compensation under section 104 of the Act (right to be accompanied).	The date of the disciplinary or grievance hearing.
7. Additional award under section 139(3)(b) of the Act (additional award of compensation for unfair dismissal).	The date by which the order for reinstatement or re-engagement should have been complied with.
8. Basic award under section 142(2) (compensation for unfair dismissal).	The effective date of termination as defined by section 112(4) of the Act.
9. Redundancy payment under section 1(1)(a) of the Redundancy Payments Act 1990.	The relevant date as defined by section 7 of that Act.

*EXPLANATORY NOTE**(This note is not part of the Order)*

This Order increases from £480 to £540 the maximum amount of a week's pay, which is used for calculating (a) the basic award of compensation which may be made by the Employment Tribunal on a complaint of unfair dismissal, and various other awards under the Employment Act 2006, and (b) a redundancy payment under the Redundancy Payments Act 1990.

The increase applies where the event giving rise to the entitlement to the award or payment occurs on or after 1 August 2016.