

Insights

EMPLOYMENT RIGHTS ACT: UPDATES TO IMPLEMENTATION TIMELINE

Oct 23, 2026

Summary

On October 22 2026, the Government updated the implementation timetable for its Plan to Make Work Pay. The changes delay the fire and rehire restrictions and provide implementation dates for other proposals scheduled for 2027.

Updated timeline for key changes

1. Fire and rehire restrictions – delayed from January 2027 to March 2027
2. Collective redundancy – the new rules on the organization wide threshold for triggering collective consultation now expected to take effect from April 2027
3. Restrictions on certain non-disclosure agreement (NDA) provisions – now expected in September 2027
4. Enhanced dismissal protection for pregnant women and new mothers – now expected in October 2027
5. Further flexible working reforms – now expected in October 2027

What is not changing

The updated timetable retains January 1 2027 as the implementation date for two of the most fundamental changes: the removal the unfair dismissal cap and reduction of the qualifying period for unfair dismissal claims. The strengthening of tipping laws and the duty to inform workers of their right to join a trade union also remain scheduled for that date.

What does this mean for employers?

The delay to the fire and rehire restrictions gives employers more time to prepare, although uncertainty remains about the proposals. Employers should continue their preparations: the reforms remain significant and, for many organizations, will require changes to policies, processes and workforce planning.

The proposed additional protections for pregnant women and new mothers are also significant and appear to be a key policy priority for the Government.

BCLP's Employment team will continue to monitor the implementation timetable and keep you informed of further changes. We will also provide further updates on the fire and rehire restrictions and the proposed dismissal protections for pregnant women and new mothers to help you prepare.

Related capabilities

- Employment & Labor

Meet the team



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