

THE EMPLOYMENT (NORTHERN IRELAND) ORDER 2003

S.I. 2003 No. 2902 (N.I. 15)

EXPLANATORY MEMORANDUM

BACKGROUND

5. The Order is 'complementary' legislation to the Employment (Northern Ireland) Order 2002 ("the 2002 Order"). It parallels a number of provisions made in Great Britain by the Employment Act 2002, which were not included in the 2002 Order. Public consultation has taken place in Northern Ireland on the issues dealt with in the Order. The Order aims to introduce most of the proposals outlined throughout the consultation process, with the aim of ensuring that Northern Ireland employers and employees enjoy the same rights as their counterparts in Great Britain.
6. In Great Britain, a consultation paper, 'Routes to resolution: improving dispute resolution in Britain', published in July 2001, presented in detail a set of proposals on improving dispute resolution mechanisms in the workplace, encouraging the use of conciliation services, and reforming the employment tribunal system. The Department of Trade and Industry also launched in Great Britain public consultations on affording to trade union learning representatives the same rights to time off as other union officials, and on the introduction of a questionnaire procedure to be used in equal pay cases. During 2001-2002, the Department published parallel consultation papers with the aim of stimulating public discussion of these issues in Northern Ireland. The consultation process confirmed that there was widespread public support for the introduction of the great majority of the measures outlined. As a result, the Order has been designed to introduce measures for resolving workplace disputes, promoting conciliation, making changes to industrial tribunals and the Fair Employment Tribunal, providing equal pay questionnaires in equal value cases, and granting time off for trade union learning representatives.