
STATUTORY INSTRUMENTS

2004 No. 3078 (N.I. 19)

NORTHERN IRELAND

The Employment Relations (Northern Ireland) Order 2004

Made - - - - 17th November 2004

Laid - - - - 30th November 2004

*Coming into operation in accordance with Article
1(2)*

**THE EMPLOYMENT RELATIONS
(NORTHERN IRELAND) ORDER 2004**

PART I

INTRODUCTORY

1. Title and commencement
2. Interpretation

PART II

UNION RECOGNITION

3. Amendment of Schedule 1A to the 1995 Order
4. Information required by the Agency for ballots and ascertaining union membership

PART III

LAW RELATING TO INDUSTRIAL ACTION

5. Information about employees to be balloted on industrial action
6. Entitlement to vote in ballot on industrial action
7. Inducement of members not accorded entitlement to vote
8. Information about employees to be contained in notice of industrial action
9. Dismissal where employees taking protected industrial action locked out
10. Date of dismissal
11. Dismissal after end of protected period

PART IV

RIGHTS OF TRADE UNION MEMBERS, WORKERS AND EMPLOYEES

Status: This is the original version (as it was originally made).

Detriments and inducements in respect of membership etc. of independent trade union

12. Extension of protection against detriment for union membership etc.
13. Detriment for use of union services or refusal of inducement
14. Inducements relating to union membership or activities
15. Dismissal for use of union services or refusal of inducement

Other rights of workers and employees

16. Expulsion from trade union attributable to conduct
17. National security: powers of industrial tribunals

Other rights of workers and employers

18. Role of companion at disciplinary or grievance hearings
19. Ways in which provision conferring rights on individuals may be made
20. Protection of employees in respect of jury service
21. Flexible working

PART V

THE CERTIFICATION OFFICER

22. Striking out by Certification Officer of applications or complaints
23. Amalgamations: approval, listing and certification
24. Restriction on grounds of appeal from Certification Officer

PART VI

MISCELLANEOUS

25. Enforcement officers for agricultural wages legislation
 26. Additional case in which election for president of union not required
 27. Body corporate acting as auditor of trade union or employers' association
 28. Means of voting in ballots and elections
 29. Provision of money for trade union modernisation
 30. Amendments and repeals
- Signature

SCHEDULES

SCHEDULE 1 — AMENDMENTS TO SCHEDULE 1A TO THE 1995 ORDER

Application for decision on whether proposed bargaining unit is appropriate

1. (1) In paragraph 11(2) of Schedule 1A to the 1995...

Power of the Court to end period for agreement on bargaining unit

2. (1) Paragraph 18 of Schedule 1A to the 1995 Order...

Duty of employer to supply information to union

3. After paragraph 18 of Schedule 1A to the 1995 Order...

Determination of appropriate bargaining unit

4. For paragraph 19 of Schedule 1A to the 1995 Order...

Union communications with workers after acceptance of application

5. (1) After paragraph 19B of Schedule 1A to the 1995...

Circumstances in which the Court must arrange a ballot

6. (1) In paragraph 22(4) of Schedule 1A to the 1995...

Power of the Court to extend notification period

7. In paragraph 24 of Schedule 1A to the 1995 Order...

Postal votes for workers absent from ballot at workplace

8. (1) In paragraph 25 of Schedule 1A to the 1995...

Additional duties on employers informed of ballots

9. (1) Paragraph 26 of Schedule 1A to the 1995 Order...

Unfair practices in relation to recognition ballots

10. After paragraph 27 of Schedule 1A to the 1995 Order...

Application where agreement does not cover pay, hours and holidays

11. In each of paragraphs 35(2)(b) and 44(2)(b) of Schedule 1A...

Employer's notice to end bargaining arrangements

12. (1) Paragraph 99 of Schedule 1A to the 1995 Order...

Unfair practices in relation to derecognition ballots

13. (1) After paragraph 119 of Schedule 1A to the 1995...

Appeals against demands for costs

14. In Part IX of Schedule 1A to the 1995 Order,...

Power to amend Schedule 1A to the 1995 Order

15. (1) Paragraph 166 of Schedule 1A to the 1995 Order...

Means of communicating with workers

16. After paragraph 166 of Schedule 1A to the 1995 Order...

Unfair practices: power to make provision about periods before notice of ballot

17. After paragraph 166A of Schedule 1A to the 1995 Order...

Power to make provision about effect of amalgamations etc.

18. After paragraph 169 of Schedule 1A to the 1995 Order...

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Information about union membership and employment in bargaining unit

19. After paragraph 170 of Schedule 1A to the 1995 Order...

“Pay” and other matters subject to collective bargaining

20. After paragraph 171 of Schedule 1A to the 1995 Order...

Minor and consequential amendments

21. (1) Schedule 1A to the 1995 Order is amended as...

SCHEDULE 2 — AMENDMENTS

The Industrial Relations (Northern Ireland) Order 1992 (NI 5)

1. In Article 92A (proceedings of the Court under Schedule 1A...

The Trade Union and Labour Relations (Northern Ireland) Order 1995 (NI 12)

2. In Article 21(3) (time limit for applications under Article 22...
3. In Article 34(6) (remedies for infringement of right not to...
4. In Article 57 (rules as to a union’s political fund),...
5. In Article 84 (complaints as regards passing of resolution on...
6. In Article 110(5) (statement which must appear on voting paper...
7. In Article 116 (calling of industrial action with the support...

The Employment Rights (Northern Ireland) Order 1996 (NI 16)

8. In Article 73 (action short of dismissal on grounds related...
9. In Article 75 (consideration of complaint), in paragraph (1), for...
10. In Article 77 (awards against third parties), in paragraph (1)(a),...
11. In Article 130(6) (provisions to which provision about determination of...
12. In Article 140(3) (exceptions to one year qualifying period of...
13. In Article 141(2) (exceptions to upper age limit for claims...
14. (1) Article 161 (matters to be disregarded in assessing contributory...
15. In Article 163(3) (application for interim relief), for “Article 136(1)(a)...
16. (1) Article 236 (Crown employment) is amended as follows.
17. In paragraph (2) of Article 237 (armed forces)—
18. (1) Article 239 (employment outside Northern Ireland) is amended as...
19. In Article 242 (mariners) in paragraph (2) after “the employee”...
20. In Article 243 (police) in paragraph (1) after Part “VA,”...
21. (1) Article 244 (national security, etc) is amended as follows....
22. In Article 248 and 249(1) (death of employee or employer)...

The Industrial Tribunals (Northern Ireland) Order 1996 (NI 18)

23. In Article 12(1) (action taken for purpose of safeguarding national...

The Employment Relations (Northern Ireland) Order 1999 (NI 9)

24. (1) Article 33 (indexation of amounts) is amended as follows....

The Employment (Northern Ireland) Order 2003 (NI 15)

25. In each of Schedules 2, 3 and 4 (tribunal jurisdictions...

SCHEDULE 3 — REPEALS

Explanatory Note