



Application under Part IV of Schedule 1A to the
Trade Union and Labour Relations
(Northern Ireland) Order 1992

Employer's application to the Industrial Court that a secret ballot be held to determine whether the bargaining arrangements should be ended.

1. Employer(s) making the application:

Name:	
Name of contact:	
Address:	
Telephone:	
Fax:	
E-Mail:	

2. Union in respect of whom application is made:

Name of Union(s):	
Name of contact:	
Address for correspondence:	
Head Office address, if different:	
Telephone:	
Fax:	
E-Mail:	

3. Date the Industrial Court issued the declaration that the union is (or unions are) recognised as entitled to conduct collective bargaining on behalf of the bargaining unit:
Please provide a copy of the declaration

4. Is there in place a method by which the parties conduct collective bargaining?
Please attach a copy of the method of collective bargaining (see notes)

YES/NO

5. Date of Employer's request to union (to end the bargaining arrangements) and brief summary of union's response:

6. Following receipt of your request to end the bargaining arrangements, did the union propose that the LRA be requested to assist?

YES/NO

If yes, did you agree?

YES/NO

Please give details of LRA contact, if any:

7. Number of workers in bargaining unit:

8. Please state the number of workers in the bargaining unit that are known to favour an end of bargaining arrangements and provide any evidence supporting this figure (*but see attached note*):

9. Please provide evidence that the majority of the workers in the bargaining unit are likely to favour an end of the bargaining arrangements (*but see attached note*):

10. Has there been a previous application under either Part IV or V of Schedule 1A in respect of the same bargaining unit?

YES/NO

If so, please state by whom the application was made, the date it was made and give details below of the outcome of the application.

11. State the date on which notice of this application was given, and the application and supporting documents were copied, to union:

Signature:

Please indicate your position in the Company:

Date:

Notes:

Please note that the application form and all supporting documents must be copied to the union.

Please note that employers should provide supporting evidence on all matters likely to be contested, except for names of individuals (see note 8).

2. This should be the name and address of the union (or unions), and the union representative to whom the request was sent.
- 3/4. The Industrial Court declaration and an agreed or decided [by the Industrial Court] method of collective bargaining constitute the 'bargaining arrangements'. An application can only proceed where bargaining arrangements exist.
5. Before an employer can make an application to the Industrial Court, it must make a written request to the Union to end the bargaining arrangements. Please attach a copy of that request to this application.
6. If the union has proposed that the parties seek assistance from the LRA and the employer has either rejected the proposal or failed to respond within 10 working days, the Industrial Court cannot proceed with the application.
7. Please give the number of workers now in the bargaining unit (as defined in the Industrial Court's declaration).
8. The Industrial Court cannot accept an application unless at least 10% of the workers in the bargaining unit favour an end to the bargaining arrangements. As well as stating the number of workers that favour an end to bargaining arrangements, you may wish to provide any supporting evidence (for example a petition). Evidence on this point can be in any form available. However please note that you must copy any information provided with the application form to the union. If it is desired that names or addresses should not be disclosed, they should not be supplied without seeking prior clarification from the Industrial Court. If the union challenges the number of workers said to favour an end to bargaining arrangements, the Industrial Court may have to conduct a confidential independent check.
9. The Industrial Court cannot accept an application unless a majority of the workers in the bargaining unit are likely to favour an end to the bargaining arrangements. Evidence that a majority favour an end to the bargaining arrangements can be in any form available. This could include surveys of the workforce or of a representative sample of the workforce.
10. Previous applications may have been lodged by the employer under paragraph 106, 107 or 128 and by a worker or workers under paragraph 112.
11. The Industrial Court cannot accept an application unless the union was given notice of the application and a copy of the application form, together with any supporting documents.

The Industrial Court web site

www.industrialcourt.gov.uk

contains a detailed guide to the legislation and the full text of published Industrial Court decisions