

THE INDUSTRIAL COURT

**THE TRADE UNION AND LABOUR RELATIONS (NORTHERN IRELAND)
ORDER 1995 (AS INSERTED BY ARTICLE 3 OF THE EMPLOYMENT
RELATIONS (NORTHERN IRELAND) ORDER 1999)**

SCHEDULE 1A – COLLECTIVE BARGAINING: RECOGNITION

DECISION ON WHETHER TO ACCEPT THE APPLICATION

The Parties:

Unite the Union

And

Seagate Technology (Ireland)

Background

1. The Industrial Court (the Court) received an application on 17th April 2023, for recognition at Seagate Technology (Ireland), 1 Disc Drive, Springtown Industrial Estate, Londonderry. The bargaining unit was described as ‘All Manufacturing Specialists’.
2. The application was copied to the Employer on 20th April 2023. The Employer Response Form was issued to the Employer on 20th May 2023 with a deadline of 26th May 2023.

Application Form

3. In its application, the Union stated that the total number of workers employed by the employer was 1600, the number of workers in the bargaining unit was 815 and the number of Union members in the bargaining unit was 437. The Union also produced to the Court a letter from the Union to the Employer, of which the Employer acknowledged receipt on 3rd March 2023, which makes a formal request for recognition.
4. This letter describes the bargaining unit as:-
“All Manufacturing Specialists”.

Employer Response to Union Application

5. The Employer Response was received on 26th April 2023. In its response the Employer stated that the Union’s written request for recognition under Schedule 1A was first received on 20th February 2023. On the answer to the question about receipt of the application, the Employer stated that it had been received on 13th April 2023 and that the bargaining unit had not been agreed prior to receiving the Application Form. The Employer stated that it employed a total of 1619 workers. The Employer did not agree with the number of workers in

the bargaining unit as defined in the Union's application and gave no reason but supplied a number of 817.

Panel Meeting on Friday 19th May 2023

6. The Court Panel met on Friday 19th May to review the papers in this Application. The Panel concluded that the range of matters in relation to admissibility and validity tests appeared to be satisfied and that a majority of workers constituting the proposed bargaining unit would be likely to favour recognition of the Union as entitled to conduct collective bargaining on behalf of the bargaining unit.

DECISION

For the reasons outlined above, the Industrial Court is satisfied that:

members of the Union constitute at least 10% of the workers constituting the proposed bargaining unit;

a majority of workers constituting the proposed bargaining unit would be likely to favour recognition of the Union as entitled to conduct collective bargaining on behalf of the bargaining unit; and

the application meets the remaining admissibility and validity criteria.

The Industrial Court's Decision is therefore that the application is accepted.

Mrs Sarah Havlin (Chair)
Mr Robin Bell
Ms Patricia O'Callaghan

Decision Date: 19th May 2023
Date Issued to Parties: 24th May 2023