



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

Application to the Industrial Court pursuant to paragraph 101(1)(b) to determine whether the period of 13 weeks ends on or after the relevant date and whether the statement made under paragraph 99(3)(e) is correct.

1. Union(s) making the application:

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

2. Employer to whom application is made:

Name:	
Name of contact:	
Address:	
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. Do you agree that the 13 week period specified in the employer's notice ends on or after the 3 year anniversary of the date of the Industrial Court's declaration?

YES/NO

If you disagree, please explain why and provide supporting evidence.

5. Do you agree that the employer, taken with any associated employer or employers, employed an average of fewer than 21 workers in the specified period of 13 weeks?

YES/NO

If you disagree, please explain why and provide supporting evidence (but see Notes).

6. 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 of the outcome of the application.

7. State the date on which the employer was given notice of this application:

8. State the date on which application and supporting documents were copied to the employer:

Signature:

Position of signatory as an authorised representative of the trade union:

Date:

Notes:

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

Please note that unions should provide supporting evidence on all matters contested, except for names of individuals (see note 5).

1. If the application is made by more than one union then all unions making the application should be listed.
2. This should be the name and address of employer named in the Industrial Court's declaration of recognition. Please supply a contact name where known.
3. Give the date of the Industrial Court declaration of recognition and attach a copy of the relevant decision. All declarations are posted on the Industrial Court website.
4. Give full details as to why you disagree with the employer's statement. Supporting evidence can be in the form of the Industrial Court's declaration of recognition referred to above.
5. If you are contesting the employer's statement you are asked to provide any supporting evidence. Evidence on this point can be in any form available. However, please note that any information provided with the application form will be copied to the employer. 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 employer challenges the number of individuals said to be its workers, the Industrial Court may have to conduct a confidential independent check with the agreement of both parties.
NOTE - Any two employers are treated as associated employers where one is a company of which the other (directly or indirectly) has control, or both are companies of which a third person (directly or indirectly) has control.
6. Previous applications could have been made by the employer under paragraph 106, 107 or 128, or a worker (or workers) under paragraph 112. It is important that you bring to the Panel's attention details of any previous application in respect of the same bargaining unit.

7. The Industrial Court cannot accept an application unless the employer is given notice of the application and a copy of the application form, together with any supporting documents.

The signatory should indicate whether they represent the union's head office or a local office.

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