



Application under Part V 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 where recognition without a ballot had previously been declared (*see attached notes*).

1. Employer making the application:

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

2. Union(s) in respect of which the 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 attach a copy of the declaration (see notes)

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 the union and brief summary of union's response:

6. Number of workers in bargaining unit:

7. Please state what evidence exists to establish that fewer than half of the workers constituting the bargaining unit are members of the union(s) *(but see attached note)*:

8. 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.

9. Date that notice of this application being made, a copy of the application and supporting documents were copied to union:

Signature:

Please indicate your position in the Company:

Date:

Notes:

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

Employers should provide supporting evidence on all matters likely to be contested, except for names of individuals (see note 7).

- 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. For an application under Part V of Schedule 1A to proceed, the Industrial Court declaration must have been given under either paragraph 22(2) or 87(2) of the Schedule. This will be made clear in the particular declaration.
5. Before an employer can make an application to the Industrial Court, it must make a formal request to end the bargaining arrangements in writing to the union. Please attach a copy of that request to this application.
6. Please give the number of workers now in the bargaining unit as defined in the Industrial Court's declaration.
7. The Industrial Court cannot accept an application unless it is satisfied that fewer than half of the workers in the bargaining unit are members of the union(s). Evidence that fewer than half of the workers are members of the Union can be in any form available. However please note that you must copy any information provided with this 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 be its members, the Industrial Court may have to conduct a confidential independent check with the agreement of both parties.
8. Previous applications may have been lodged by the employer under paragraph 106, 107 or 128 and by a worker or workers under paragraph 112.
9. 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