



Industrial Relations (Amendment) Act 2015

Labour Court (Sectoral Employment Orders) Rules 2016

Interpretation

In these Rules: -

“the Act” means the Industrial Relations (Amendment) Act 2015.

“applicant” means a trade union of workers and a trade union or organisation of employers that requests an examination of terms and conditions of employment in accordance with section 14 of the Act;

“Court” means the Labour Court.

“sector” means an economic sector within the meaning of section 13 of the Act.

A word or expression used in these Rules which is also used in the Act has the same meaning in these Rules as it has in the Act unless a contrary intention appears

The Interpretation Act 2005 applies to these Rules

These Rules may be cited as “Labour Court (Sectoral Employment Orders) Rules 2015-2016.

Application to Examine Terms and Conditions of Employment

1. A request to the Court to examine the terms and conditions of employment in a sector pursuant to section 14 of the Act shall be made on an application form provided for that purpose and shall state: -

(a) The name and address of the applicant;

(b) The sector to which the request relates;

- (c) The class, type or group of workers to which the request relates;
 - (d) Details of the arrangements (if any) by which terms and conditions relating to remuneration and any sick pay scheme or pension scheme, of the workers in the sector to which the request relates are determined;
 - (e) Where the applicant is a trade union of workers, the name and address of any other trade union of workers that is representative of workers in the sector to which the request relates;
 - (f) Where the applicant is a trade union of workers, the name and address of any trade union of employers or organisation of employers that is representative of employers in the sector to which the request relates;
 - (g) Where the applicant is a trade union of employers or an organisation of employers, the name and address of any trade union of workers that is representative of workers in the sector to which the request relates;
2. Where a request is made to the Court jointly by more than one applicant each applicant shall complete a separate form.
3. Every applicant that is a trade union of workers shall furnish the Court with a Statutory Declaration within the meaning of the Statutory Declarations Act 1938, made by a person authorised in that behalf by the trade union, containing the following particulars: -
- (a) The name of the applicant trade union
 - (b) The position held by the declarant;
 - (c) The registered address of the applicant trade union within the State
 - (d) The number of workers of the class type or group to which the agreement relates who are members of the trade union of workers on whose behalf the request is made
 - (e) The number of workers of the class type or group to which the request relates who are normally employed in the sector to which the request relates
 - (f) The declarant's means of knowledge of the matters referred to at paragraphs (d) and (e)
4. Every applicant that is a trade union of employers or an organisation of

employers shall furnish the Court with a Statutory Declaration within the meaning of the Statutory Declarations Act 1938, made by a person authorised in that behalf by the trade union, or the organisation, containing the following particulars:-

- (a) The name of the applicant
- (b) The position held by the declarant;
- (c) The registered address of the applicant within the State;
- (d) The number of workers of the class type or group to which the request relates who are normally employed by the employers who are members of the trade union of employers or the organisation of employers on whose behalf the Declaration is made;
- (e) The number of workers of the class type or group to which the request relates who are normally employed in the sector to which the request relates;
- (f) The declarant's means of knowledge of the matters referred to at paragraphs (d) and (e).

Provision of Further Information and Evidence

5. Before proceeding to consider the request the Court may require an applicant, or any other person, to furnish:-

- (a) Such additional information as it may require;
- (b) Such further evidence as it may require in support of the statements contained in the application form or in the Statutory Declaration provided in support of the request;

Publication of Notice

6. For the purpose of compliance with section 15(2) of the Act the Court shall, as soon as may be after it receives a request to conduct an examination under that section, publish a notice in at least one newspaper in general circulation within the State, of its intention to conduct an examination and inviting representations under Section 15 (3) of the Act from all interested parties

Making Representations

7. Representations made in accordance with section 15(3) of the Act shall be made in writing within 28 days of the publication of the notice referred to at Rule 6.

Information

8. All documentation received by the Court under Rules 1 to 5 and 7 shall, unless specifically requested otherwise, be published by the Court on its website..

9. All parties furnishing documents to the Court must ensure that they not include any sensitive personal data within the meaning of the Data Protection Acts 1988 and 2003

Labour Court (Sectoral Employment Orders) Rules 2015 are hereby revoked.

