

These notes refer to the Employment Relations Act 2004 (c.24)

EXPLANATORY NOTES

EMPLOYMENT RELATIONS ACT 2004

INTRODUCTION

BACKGROUND

OVERVIEW OF THE ACT

COMMENTARY

PART ONE: UNION RECOGNITION

These notes refer to the Employment Relations Act 2004 (c.24)

The procedure for recognition: Part I of Schedule A1

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Union communications with workers after acceptance of application

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Unfair practices in relation to recognition ballots

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Information required by Acas for ballots and ascertaining union membership

PART TWO: INDUSTRIAL ACTION LAW

These notes refer to the Employment Relations Act 2004 (c.24)

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Information about employees to be balloted on industrial action

Entitlement to vote in ballot on industrial action

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Dismissal where employees taking protected industrial action locked out

Date of dismissal

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PART THREE: RIGHTS OF TRADE UNION MEMBERS, WORKERS AND EMPLOYEES

These notes refer to the Employment Relations Act 2004 (c.24)

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New section 145B

New section 145C

New section 145D

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Information and Consultation: Great Britain

Information & Consultation: Northern Ireland

PART FOUR: ENFORCEMENT OF MINIMUM WAGE LEGISLATION

These notes refer to the Employment Relations Act 2004 (c.24)

Enforcement notices

Withdrawal and replacement of enforcement notice

New section 22A (withdrawal of enforcement notices)

New section 22B (replacement of enforcement notices)

New section 22C (effect of replacing an enforcement notice on penalties)

New section 22D (effect of replacement on appeals and civil proceedings where section 22A(3) not applied).

New section 22E (withdrawal of penalty notices)

Section 22F (replacement of penalty notice)

Enforcement officers for the agricultural wages legislation

PART 5: THE CERTIFICATION OFFICER

Sections 48 and 49

Striking out by Certification Officer of applications or complaints

Restriction of proceedings orders: proceedings before the Certification Officer

Amalgamations: approval; listing and certification

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PART 6: MISCELLANEOUS

Additional case in which election for president of union not required

Removal of rule preventing appointment of body corporate as auditor

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SUPPLEMENTARY PROVISIONS

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Schedule 1 (minor and consequential amendments)

COMMENCEMENT DATE