

*These notes refer to the Employment Act (Northern Ireland)
2011 (c.13) which received Royal Assent on 22nd March 2011*

Employment Act (Northern Ireland) 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 3: Statutory dispute resolution procedures: consequential adjustment of time limits

21. *Section 3* repeals Articles 21 and 22 of the 2003 Order. These Articles contain regulation-making powers which have enabled a link to be established between application of the statutory dispute resolution procedures and time limits on claims to an industrial tribunal and the Fair Employment Tribunal respectively. Regulations made under these Articles specify that, under the statutory disciplinary and dismissal arrangements, where an employee has reasonable grounds for believing a procedure is ongoing at the point where the normal time limit for applying to a tribunal expires, that time limit will be extended by three months. Under the statutory grievance arrangements, the provisions regarding time limits are more complex; however, in essence, they allow for extension of the time to present a claim by three months where a grievance is lodged with the employer in writing within a specified time.
22. The effect of the repeals contained in this section is to sever the connection between the remaining statutory procedures, relating to disciplinary and dismissal situations, and time limits for lodging tribunal claims. The intention of the repeal is to simplify time limits, removing confusion that was generated by the provisions for extending them, and to provide for consistency between time limits relating to grievance and disciplinary/dismissal situations.