



Employment Relations Act 2004

2004 CHAPTER 24

PART 1 **E+W+S**

UNION RECOGNITION

8 Postal votes for workers absent from ballot at workplace **E+W+S**

- (1) In paragraph 25 of Schedule A1 to the 1992 Act (recognition ballots), after sub-paragraph (6) insert—

“(6A) If the CAC decides that the ballot must (in whole or in part) be conducted at a workplace (or workplaces), it may require arrangements to be made for workers—

- (a) who (but for the arrangements) would be prevented by the CAC’s decision from voting by post, and
- (b) who are unable, for reasons relating to those workers as individuals, to cast their votes in the ballot at the workplace (or at any of them),

to be given the opportunity (if they request it far enough in advance of the ballot for this to be practicable) to vote by post; and the CAC’s imposing such a requirement is not to be treated for the purposes of sub-paragraph (6) as a decision that the ballot be conducted as mentioned in sub-paragraph (4) (c).”

- (2) In paragraph 117 of that Schedule (derecognition ballots), after sub-paragraph (8) insert—

“(8A) If the CAC decides that the ballot must (in whole or in part) be conducted at a workplace (or workplaces), it may require arrangements to be made for workers—

- (a) who (but for the arrangements) would be prevented by the CAC’s decision from voting by post, and

Changes to legislation: There are currently no known outstanding effects for the Employment Relations Act 2004, Section 8. (See end of Document for details)

(b) who are unable, for reasons relating to those workers as individuals, to cast their votes in the ballot at the workplace (or at any of them),

to be given the opportunity (if they request it far enough in advance of the ballot for this to be practicable) to vote by post; and the CAC's imposing such a requirement is not to be treated for the purposes of sub-paragraph (8) as a decision that the ballot be conducted as mentioned in sub-paragraph (6) (c)."

Commencement Information

II S. 8 in force at 6.4.2005 by S.I. 2005/872, art. 4, Sch. (with art. 7)

Changes to legislation:

There are currently no known outstanding effects for the Employment Relations Act 2004, Section 8.