

*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

CONSULTATION

Workplace dispute resolution

10. In May 2008 the then Minister for Employment and Learning, Sir Reg Empey MLA, established a steering group comprising representation from CBI Northern Ireland, the Federation of Small Businesses, the Northern Ireland Committee of the Irish Congress of Trade Unions, the Labour Relations Agency and the Equality Commission for Northern Ireland, to oversee the pre-consultation and public consultation phases. The steering group canvassed a wide range of opinion on the existing arrangements through engagement with experts in the employment relations arena and the establishment of expert user panels from the human resources, legal, trade union and community advice disciplines.
11. The Department also commissioned a piece of qualitative research to learn from the practical experiences of the various parties involved in dispute resolution processes. It additionally gave evidence to the Northern Ireland Assembly's Employment and Learning Committee which conducted its own review of workplace dispute resolution arrangements, taking evidence from a range of key stakeholders. The Committee published its findings in June 2009.
12. In May 2009 the Department sought views on policy proposals for improving systems for resolving disputes that arise in the workplace. Consultation ran for thirteen weeks and closed on Friday 4 September 2009. The consultation document included a partial regulatory impact assessment and referenced the findings of preliminary equality and human rights impact assessments. The impact assessment process also took account of potential social inclusion and health impacts.
13. The Department received 38 responses to the consultation, 33 of which contained substantive comment. An analysis of the consultation responses was published in November 2009 with the Department's policy response to the public consultation published in April 2010. A final impact assessment was also prepared. Departmental officials briefed the Employment and Learning Committee on the policy proposals on 20 January 2010.

Time to train

14. The Department for Innovation, Universities and Skills (DIUS) in England published a consultation paper in June 2008 seeking views on the introduction of a proposed new right for employees to request time to train. Corresponding consultations were carried out shortly thereafter by the Scottish Executive and the Welsh Assembly Government to ascertain if this right should be extended to employees in Scotland and Wales respectively. Given the importance of the skills agenda to Northern Ireland's economy, the Department for Employment and Learning carried out a corresponding public consultation in Northern Ireland between 31 July and 23 October 2009.
15. The consultation paper dealt with the right to request time to train and, separately, with a proposal to extend the existing and comparably designed right to request flexible working. There were 22 responses to the consultation, 13 of which contained substantive comment. The time to train proposals were positively received by a majority of stakeholders. Although there were some differences of opinion on the detail of the right, most saw it as a welcome addition to existing good practice which could reinforce the attention given to workplace training in supporting Northern Ireland's economy.