



# Employment Act (Northern Ireland) 2016

## CHAPTER 15

### EMPLOYMENT ACT (NORTHERN IRELAND) 2016

#### *Industrial tribunals*

1. Conciliation before and after institution of proceedings
2. Extension of limitation periods to allow conciliation
3. Extended power to define “relevant proceedings” for conciliation purposes
4. Power to require party to proceedings to pay deposit

#### *Fair Employment Tribunal*

5. Conciliation before and after complaint to Fair Employment Tribunal
6. Extension of time limit to allow conciliation
7. Power to require party to proceedings to pay deposit

#### *Assessment of matters relating to tribunal proceedings*

8. Assessment of matters relating to tribunal proceedings

#### *Reviews*

9. Review of early conciliation
10. Review of Section 8: assessment of matters relating to tribunal proceedings

**Status:** Point in time view as at 01/10/2017.

**Changes to legislation:** There are currently no known outstanding effects for the Employment Act (Northern Ireland) 2016. (See end of Document for details)

### *Employment judges*

11. Employment judges: industrial tribunals
12. Employment judges: Fair Employment Tribunal

### *Protected disclosures*

13. Disclosures not protected unless believed to be made in the public interest
14. Power to reduce compensation where disclosure not made in good faith
15. Protected disclosures: reporting requirements
16. Worker subjected to detriment by co-worker or agent of employer
17. Extension of meaning of “worker”

### *Zero hours workers*

18. Zero hours workers

### *Gender pay and disclosure of information*

19. Gender pay gap information

### *Careers guidance*

20. Careers guidance

### *Apprenticeships*

21. Apprenticeships

### *Miscellaneous*

22. Indexation of amounts: timing and rounding
23. Prohibition on disclosure of information held by the Labour Relations Agency
24. Variation in procedures for certain orders and regulations
25. Statutory shared parental pay: correction of references
26. References to tribunal jurisdictions to which Articles 17 and 27 of the Employment (Northern Ireland) Order 2003 apply

### *Supplementary*

27. Repeals
28. Interpretation
29. Commencement
30. Short title

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## SCHEDULES

### SCHEDULE 1 — CONCILIATION: MINOR AND CONSEQUENTIAL AMENDMENTS

#### *Employment Rights (Northern Ireland) Order 1996 (NI 16)*

1. In Article 245 (restrictions on contracting out), in paragraph (2)(e),...

#### *Industrial Tribunals (Northern Ireland) Order 1996 (NI 18)*

2. In Article 9 (industrial tribunal procedure regulations), in paragraph (3ZA)(b),...
3. (1) Amend Article 20 (conciliation) as follows.
4. In Article 21A (conciliation: recovery of sums payable under compromises),...

#### *National Minimum Wage Act 1998 (c. 39)*

5. In section 49 (restrictions on contracting out), in subsection (2)(b),...

#### *Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13)*

6. In section 58 (restrictions on agreements to limit the operation...

### SCHEDULE 2 — EXTENSION OF LIMITATION PERIODS TO ALLOW FOR CONCILIATION

#### *Equal Pay Act (Northern Ireland) 1970 (c. 32)*

1. In section 2ZA (“qualifying date” under section 2(4)), in subsections...
2. After section 2ZAA insert— Extension of time limits to facilitate...

#### *Sex Discrimination (Northern Ireland) Order 1976 (NI 15)*

3. In Article 76 (period within which proceedings must be brought),...

#### *Trade Union and Labour Relations (Northern Ireland) Order 1995 (NI 12)*

4. In Article 33 (complaint of infringement of right under Article...

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5. In Article 36 (complaint of infringement of rights under Article...
6. (1) Article 39 (time limit for proceedings under Article 38)...
7. In Article 44C (Article 44B: complaint to industrial tribunal), after...
8. In Article 61 (complaint in respect of employer's failure under...
9. After Article 147 (employment governed by foreign law) insert — Extension...
10. In Schedule 1A (collective bargaining: recognition), in paragraph 157 (complaint...

*Disability Discrimination Act 1995 (c. 50)*

11. In Part 1 of Schedule 3 (enforcement and procedure), in...

*Employment Rights (Northern Ireland) Order 1996 (NI 16)*

12. In Article 28 (complaint to industrial in respect of employer's...
13. In Article 43 (references to industrial tribunals: contravention of Articles...
14. In Article 55 (complaints to industrial tribunals: contravention of Article...
15. In Article 66 (complaints to industrial tribunals: guarantee payments), after...
16. In Article 71 (complaints to industrial tribunals: rights not to...
17. In Article 74 (complaints to industrial tribunal in respect of ...
18. (1) Article 77C (time limit for proceedings under Articles 77A...
19. In Article 79 (complaints to industrial tribunals: contravention of Article...
20. In Article 82 (complaints to industrial tribunals: contravention of Article...
21. In Article 85 (complaints to industrial tribunals: contravention of Article...
22. In Article 85ZC (complaints to industrial tribunals: contravention of Article...
23. In Article 85ZF (right to time off to accompany to...
24. In Article 85ZH (complaint to industrial tribunal: agency workers), after...
25. In Article 85ZM (complaint to industrial tribunal: contravention of Article...
26. In Article 85ZQ (complaint to industrial tribunal: contravention of Article...

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27. In Article 85B (complaints to industrial tribunals: contravention of Article...
28. In Article 88 (complaints to industrial tribunals: contravention of Article...
29. In Article 91 (complaints to industrial tribunals: contravention of Article...
30. In Article 91C (complaints to industrial tribunals: contravention of Article...
31. In Article 95 (complaints to industrial tribunals in respect of...
32. In Article 95F (complaints to industrial tribunals: contravention of Article...
33. In Article 102 (complaints to industrial tribunals: contravention of Articles...
34. In Article 102A (complaints to industrial tribunals: contravention of Article...
35. In Article 112 (complaints to industrial tribunals: parental leave), after...
36. In Article 112H (complaints to industrial tribunals: contravention of Article...
37. In Article 145 (complaints to industrial tribunals: unfair dismissal), after...
38. In Article 199 (claims for redundancy payment), after paragraph (3)...
39. In Article 217 (complaint in respect of failure to comply...
40. In Article 220 (complaint by employee to industrial tribunal), after...
41. After Article 249A (time limits in relation to certain mediated...

*Race Relations (Northern Ireland) Order 1997 (NI 6)*

42. In Article 65 (period within which proceedings to be brought),...

*National Minimum Wage Act 1998 (c. 39)*

43. In section 11 (failure of employer to allow access to...

*Employment Relations (Northern Ireland) Order 1999 (NI 9)*

44. In Article 13 (complaint to industrial tribunal), after paragraph (2)...

SCHEDULE 3 — REPEALS

**Status:**

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**Changes to legislation:**

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