
STATUTORY INSTRUMENTS

1993 No. 2668

The Industrial Relations (Northern Ireland) Order 1993

Employment rights

Dismissal on ground of assertion of statutory right

7. After Article 22C of the No. 1 Order there shall be inserted—

“Dismissal on ground of assertion of statutory right

22D.—(1) The dismissal of an employee by an employer shall be regarded for the purposes of this Order as having been unfair if the reason for it (or, if more than one, the principal reason) was that the employee—

- (a) brought proceedings against the employer to enforce a right of his which is a relevant statutory right; or
- (b) alleged that the employer had infringed a right of his which is a relevant statutory right.

(2) It is immaterial for the purposes of paragraph (1) whether the employee has the right or not and whether it has been infringed or not, but, for that paragraph to apply, the claim to the right and that it has been infringed must be made in good faith.

(3) It shall be sufficient for paragraph (1) to apply that the employee, without specifying the right, made it reasonably clear to the employer what the right claimed to have been infringed was.

(4) The following statutory rights are relevant for the purposes of this Article, namely—

- (a) any right conferred by—
 - (i) the Act of 1965;
 - (ii) this Order;
 - (iii) the No. 2 Order; or
 - (iv) the Wages (Northern Ireland) Order 1988,for which the remedy for its infringement is by way of a complaint or reference to an industrial tribunal;
- (b) the right conferred by—
 - (i) section 1 of the Act of 1965; or
 - (ii) Article 38 or 65 of the Industrial Relations (Northern Ireland) Order 1992 (deductions from pay).”.