
STATUTORY INSTRUMENTS

2004 No. 3078

The Employment Relations (Northern Ireland) Order 2004

PART III

LAW RELATING TO INDUSTRIAL ACTION

Dismissal where employees taking protected industrial action locked out

9.—(1) Article 144A of the Employment Rights Order (dismissal in connection with participation in official industrial action) is amended as follows.

(2) In paragraph (3) for the words from “within” to the end substitute “ within the protected period ”.

(3) After paragraph (7) insert—

“(7A) For the purposes of this Article “the protected period”, in relation to the dismissal of an employee, is the sum of the basic period and any extension period in relation to that employee.

(7B) The basic period is 12 weeks beginning with the first day of protected industrial action.

(7C) An extension period in relation to an employee is a period equal to the number of days falling on or after the first day of protected industrial action (but before the protected period ends) during the whole or any part of which the employee is locked out by his employer.

(7D) In paragraphs (7B) and (7C), the “first day of protected industrial action” means the day on which the employee starts to take protected industrial action (even if on that day he is locked out by his employer).” .

Changes to legislation:

There are currently no known outstanding effects for the The Employment Relations (Northern Ireland) Order 2004, Section 9.