

TRADE UNION LAW AND PROCEDURE BEGINS TO DIVERGE ACROSS THE UK



Industrial
Court

*Adjudicating on trade union recognition
and collective bargaining issues*

For several decades, trade union recognition procedures in Northern Ireland and Great Britain have been closely aligned. Recent reforms in Great Britain now introduce new workplace access and recognition arrangements, while Northern Ireland currently retains the existing framework.

The passing of the [Employment Rights Act 2025](#) in GB has introduced significant change to the areas of trade union access to workplaces and trade union recognition.

- A new right of **trade union access to workplaces** which can be enforced by the CAC, including significant penalties.
- A **simplified statutory recognition process** which makes the process faster and more accessible with simplified acceptance criteria and reduced balloting thresholds

Our equivalent body in GB, The Central Arbitration Committee (CAC) is preparing to work under new powers from October, including wider responsibilities linked to workplace access and recognition procedures. It has been noted that the CAC has increased its capacity to manage its increased workload.

CAC Expanded to Support Employment Rights Act Changes

These changes currently apply to England, Scotland and Wales only. Northern Ireland has not adopted the same provisions, meaning the Industrial Court continues to operate under the existing local recognition framework.

However, the current Good Jobs Bill from the Department of the Economy may come before the Northern Ireland Executive later this year which may introduce similar provisions for Northern Ireland

But for now, the law on trade union access to workplaces and recognition for collective bargaining in Northern Ireland is significantly diverging from the law in Great Britain for the first time in several decades.

Late 1990s:
Northern Ireland
& Great Britain
procedures align

2025: GB
reforms
introduced –
Employment
Rights Act

October
2026: CAC
begin work
under new
powers

Next: NI Good
Jobs Bill –
developments
to watch

FOR INFORMATION AND GUIDANCE ON TRADE UNION RECOGNITION AND COLLECTIVE BARGAINING SEE
OUR WEBSITE WWW.INDUSTRIALCOURT.ORG.UK OR CONTACT OUR CASE MANAGER
ENQUIRIES@INDUSTRIALCOURT.ORG.UK