



THE LABOUR COURT

PROTECTION OF EMPLOYEES (PART-TIME WORK) ACT, 2001

APPLICATION FOR VARIATION OF A COLLECTIVE AGREEMENT*

Employer details:

Name: Address:
Contact name: Phone number: Fax number: E-mail address:

Union or Excepted Body** details:

Name: Address:
Contact name: Phone number: Fax number: E-mail address:

Details of Collective Agreement approved under paragraph 2(3) of the schedule to the Protection of Employees (Part-Time Work) Act, 2001:

Labour Court Registration Number of Agreement:
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*Casual basis

Section 11(4)(b) of the Act provides that a part-time employee, shall at a particular time, be regarded as working on a casual basis, if by virtue of his or her fulfilling, at that time, conditions specified in a collective agreement approved by the Labour Court that has effect in relation to him or her, he or she is regarded for the purposes of that agreement as working on such a basis. For the full definition please refer to the legislation.

**Excepted Body

Where the employees are not represented by a trade union, they must be represented by an "excepted body" as defined in the Trade Union Acts, 1941 and 1942. Under this definition, an "excepted body" includes "a body all the members of which are employed by the same employer and which carried on negotiations for the fixing of wages or other conditions of employment of its own members (but of no other employees)". For the full definition, please refer to the legislation.

Details of Variation (of Collective Agreement) for which approval is sought

1. **Date of variation:**

2. **Brief description of procedures followed (in agreeing to vary the Collective Agreement)*:**

3. **Brief summary of objective reasons***for variation of Collective Agreement*:**

*Casual basis

Section 11(4)(b) of the Act provides that a part-time employee, shall at a particular time, be regarded as working on a casual basis, if by virtue of his or her fulfilling, at that time, conditions specified in a collective agreement approved by the Labour Court that has effect in relation to him or her, he or she is regarded for the purposes of that agreement as working on such a basis. For the full definition please refer to the legislation.

***Objective reasons

Clause 2.2 of the Framework Agreement provides that collective agreements may, for objective reasons, exclude wholly or partly from the terms of the Agreement part-time workers who work on a casual basis.

We confirm that:

- (i) the variation to the collective agreement* has been concluded in the manner usually employed in determining the pay or other conditions of employment of employees in the employment concerned, and
- (ii) the body which negotiated the agreement on behalf of the employees concerned is the holder of a negotiation licence under the Trade Union Act, 1941, or an excepted body** within the meaning of that Act.

Signed on behalf of the employer: _____
Date: _____

Signed on behalf of Union or Excepted Body**: _____
Date: _____

PARTIES ARE ADVISED THAT DECISIONS OF THE COURT ARE PUBLISHED ON ITS WEBSITE WWW.LABOURCOURT.IE

Where to send the application:-

Please send the completed form, plus 3 copies thereof, and 4 copies of the variation to the Collective Agreement* document to:-

Legislation and Information Section
The Labour Court
Lansdowne House
Lansdowne Road
Ballsbridge
Dublin 4

Enquiries:

Enquiries about your application should be addressed to the above address, or telephone (01) 6136666. If calling outside the (01) area, the following Lo-call number may be used – 1890 220 228