



Application under Part 1 of Schedule A1 to the Trade Union and Labour Relations (Consolidation) Act 1992

EXPLANATORY NOTES (WITH NUMBERING CORRESPONDING TO THE QUESTIONS) ARE INCLUDED ON PAGES 5, 6 AND 7 OF THIS FORM

Application to the Central Arbitration Committee to determine whether the proposed bargaining unit is appropriate and whether the union(s) has (have) the support of the majority of workers in the bargaining unit.

Please give dates in the following format: DD/MM/YYYY

1. Union(s) making the application:

Name of Union(s):

Name of contact:

Address for correspondence:

Contact Phone Number(s):

Email:

2. Employer to whom application is made:

Name:

Name of contact:

Address for correspondence:

Contact Phone Number(s):

Email:

3. Can you confirm the union has a current certificate of independence? Yes

4. Has the union made a previous application under Schedule A1 for statutory recognition for workers in this bargaining unit, or a similar unit?

Yes No Date:

If yes, please give the outcome:

5. Is this a joint application? Yes No

If yes, please explain how the unions will cooperate with each other and enter single table bargaining arrangements.

6. Date of request to employer:

Selecting one option only, did the employer:

- 1) Fail to respond to the request
- 2) Refuse the request
- 3) Refuse the request but indicated a willingness to negotiate

Please enclose the response to the request, if any, with your application.

7. Following receipt of your request for recognition, did the employer propose that Acas be requested to assist? Yes No

If yes, did you agree? Yes No

Please give details of Acas contact, if any:

8. Total number of workers employed by the employer:

9. Number of workers in bargaining unit:

10. Please state the number of union members in the proposed bargaining unit (DO NOT include any list with the application - see the explanatory note on page 6).

11. Location(s) of bargaining unit:

12. Description of bargaining unit (*this description must be the same as that in the formal request letter to the employer UNLESS a different unit has been agreed by the parties*):

13. Has the bargaining unit been agreed with the employer? Yes No

14. Is there any existing recognition agreement which you are aware of, which covers any workers in the bargaining unit?

Yes No

If yes, please give brief details:

15. Date application and supporting documents were copied to employer:

16. Do you consent to your contact details being forwarded to Acas so that an officer may assist the parties in this matter?

Yes

No

GET IT RIGHT

Before submitting your application have you...

- answered all of the relevant questions?
- ensured the description of the bargaining unit matches the one in your request (unless you and the employer agreed a different unit)?
- copied the application and any supporting documents to the employer?
- enclosed a copy of your request to the employer for recognition as well as any reply you received?

Please note your application will be rejected if these documents aren't included.

Signature:

(This can be an electronic signature)

Position of signatory as an authorised representative of the trade union:

Date:

Explanatory Notes

Please note that the application form and all supporting documents must be copied to the employer.

Unions should provide supporting evidence on all matters likely to be contested. If there is evidence you regard as confidential, for example the names of trade union members, do not attach it to this form and do not send it to the CAC at this stage unless you are willing to copy it to the employer. There is further information on this on page 7.

Question 1 on the application form

If the application is made by more than one union then all unions should be listed.

Question 2 on the application form

Self-explanatory.

Question 3 on the application form

The CAC cannot accept an application unless the union has a certificate of independence issued by the Certification Officer.

Question 4 on the application form

No new application can be made within three years of the CAC accepting an application for recognition from the same union for the same or substantially the same bargaining unit.

Question 5 on the application form

If two or more unions are applying together, all of the unions need to show that they will co-operate together to secure and maintain stable and effective collective bargaining arrangements. If the employer wishes, the unions need to show they will enter into single table bargaining arrangements on behalf of the bargaining unit.

Question 6 on the application form

Before a union can apply to the CAC, it must make a formal request for statutory recognition in writing to the employer. You must include a copy of the request and any response you receive from the employer along with this form otherwise the application will be rejected.

Question 7 on the application form

If the employer has proposed that the parties seek assistance from Acas and the union has either rejected the proposal or failed to respond within 10 working days, the union cannot apply to the CAC.

Question 8 on the application form

Please give an estimate of the total number of workers employed by the employer.

Question 9 on the application form

Self-explanatory – note: part-time workers should be counted as whole numbers.

Question 10 on the application form

The CAC cannot accept an application unless at least the required percentage (currently 10%) of the workers in the bargaining unit are members of the union.

Question 11 on the application form

The workplace or workplaces in which the bargaining unit is located should be identified. You do not need to list all of the sites if the bargaining unit covers all the employer's workplaces - simply state that this is the case.

Question 12 on the application form

The description of the bargaining unit must be in identical terms to those used in the formal request to the employer UNLESS a different bargaining unit was agreed with the employer during negotiations following the formal request: in such cases, please state the agreed description and answer YES to question 13.

If negotiations did not result in an agreed bargaining unit but lead the union to modify its proposed bargaining unit, then the union must make a fresh formal request to the employer specifying that modified description in the request.

Question 13 on the application form

This is self-explanatory

Question 14 on the application form

If there is an existing recognition agreement covering any workers in the bargaining unit, the CAC cannot accept an application. There are two exceptions to this rule (which are set out in the Guidance for the Parties).

Question 15 on the application form

The union must send the employer a copy of the application form and any supporting documents. Failure to do so will result in the application being ruled inadmissible.

Question 16 on the application form

The CAC will not forward your contact details to Acas without your consent. Please let us know here whether or not you are happy for us to do so.

Confidential Information

If an employer challenges a union's level of membership, the CAC will conduct a confidential check in which the evidence would be provided only to a CAC Case Manager and would not be exchanged between the parties.

You should not, therefore, in the first instance provide such confidential information or documents unless you are prepared for them to be copied to the employer.

There is further information on this in the CAC's Guide for the Parties and, if you would like to discuss this issue in more detail, please telephone the CAC.

Further guidance

The [CAC website](#) contains a detailed guide to the legislation and the full text of published CAC decisions.

Please submit the completed form to the CAC at enquiries@cac.gov.uk