

## Industrial Relations (Recognition of a Trade Union of Employees) Regulations

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### THE SCHEDULE

#### Legislative History

INDUSTRIAL RELATIONS ACT  
([CHAPTER 136, SECTION 86](#))

INDUSTRIAL RELATIONS (RECOGNITION OF A TRADE  
UNION OF EMPLOYEES) REGULATIONS

Rg 3

G.N. No. S 41/1966

REVISED EDITION 1990

(25th March 1992)

[4th March 1966]

#### Citation

1. [These Regulations](#) may be cited as the [Industrial Relations \(Recognition of a Trade Union of Employees\) Regulations](#).

#### Definitions

2. In these Regulations, unless the context otherwise requires —

“claim for recognition” means a claim for recognition served by a trade union of employees on an employer under [regulation 3\(1\)](#);

“secret ballot” means a secret ballot taken under these Regulations for the purpose of determining whether the majority of the persons employed by an employer are members of a trade union of employees which has served a claim for recognition;

“recognition” means recognition given by an employer in accordance with the provisions of these Regulations to a trade union of employees recognising it as the negotiating body for collective bargaining under [Part III of the Act](#).

#### Trade union of employees may claim recognition

3.—(1) A trade union of employees may serve on an employer a claim for recognition in Form A set out in [the Schedule](#).

(2) An employer upon whom a claim for recognition has been served shall, within 7 working days after the service of the claim, either give recognition to the trade union or, if he disputes the claim, notify the Commissioner in writing his grounds for not giving recognition.

(3) Upon receipt of a notification from an employer under [paragraph \(2\)](#), the Commissioner may in his discretion by notice in writing inform the employer that a secret ballot shall be taken in accordance with such directions as the Commissioner may give.

(4) A copy of a notice, served on the employer under [paragraph \(3\)](#), shall be sent to the trade union or, if there is more than one trade union of employees, the trade unions of employees concerned.

### **Commissioner may require assistance from trade union and employer**

4.—(1) When the Commissioner has served a notice on the employer under [regulation 3\(3\)](#), the employer and the trade union or trade unions of employees concerned shall furnish the Commissioner with such information as he may require and shall give every assistance to the Commissioner to enable him to conduct the secret ballot in accordance with the decision of the Commissioner under [regulation 3\(3\)](#).

(2) No person, employer or trade union of employees shall in any way obstruct the taking of the secret ballot.

(3) The Commissioner shall, as soon as the results of the secret ballot are known, communicate the results to the employer and the trade union or trade unions of employees concerned.

(4) When the results of a secret ballot have been communicated to an employer under [paragraph \(3\)](#), the employer shall, if the results of the secret ballot show that the majority of the employees entitled to vote are members of a particular trade union of employees, give recognition to that trade union within 3 working days of the date of the receipt of the results.

### **Secret ballot**

5.—(1) Subject to [paragraph \(2\)](#), all persons employed by the employer on the date on which a claim for recognition is served shall be entitled to vote in a secret ballot.

(2) The following persons shall not be entitled to vote in a secret ballot:

- (a) partners in a partnership business:
- (b) persons employed after the date on which a claim for recognition has been served:
- (c) persons employed temporarily for a period not exceeding 3 months:
- (d) persons who are on probation and who have been on probation for less than 3 months on the date on which a claim for recognition is served.

(3) Any dispute between an employer and a trade union or trade union of employees as to whether any employee is entitled to vote in a secret ballot, in accordance with [paragraph \(1\)](#), shall be referred to the Commissioner whose decision shall be final.

### **Employer to communicate with recognised trade union**

6. An employer who gives recognition to a trade union of employees under [regulation 3\(2\)](#) or [4\(4\)](#) shall communicate such recognition to the trade union of employees in Form B set out

in [the Schedule](#).

### **Trade union to claim recognition**

7. No trade union of employees shall serve a claim for recognition within 6 months of the date of a secret ballot.

### **Penalties**

8. Any —

(a) person who contravenes [regulation 4\(2\)](#);

(b) employer who contravenes [regulation 3\(2\)](#) or [regulation 4\(1\)](#), [\(2\)](#) or [\(4\)](#); or

(c) trade union of employees which contravenes [regulation 4\(1\)](#) or [\(2\)](#) or [regulation 7](#),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500.

## THE SCHEDULE

[Regulation 3\(1\)](#)

### FORM A

#### INDUSTRIAL RELATIONS ACT (CHAPTER 136)

#### INDUSTRIAL RELATIONS (RECOGNITION OF A TRADE UNION OF EMPLOYEES) REGULATIONS

#### CLAIM FOR RECOGNITION

To: .....  
(Name of employer)

.....  
(Address)

In pursuance of regulation 3 of the Industrial Relations (Recognition of a Trade Union of Employees) Regulations, you are hereby asked to accord recognition to the ..... of .....  
(Name of trade union) (Address)

FORM B

[Regulation 6](#)

INDUSTRIAL RELATIONS ACT  
(CHAPTER 136)

INDUSTRIAL RELATIONS (RECOGNITION OF A TRADE UNION  
OF EMPLOYEES) REGULATIONS

RECOGNITION OF TRADE UNION OF EMPLOYEES

To: .....  
(Name of trade union of employees)  
.....  
(Address)

With reference to your claim for recognition dated.....

\*I , .....  
\*we (Name of employer, whether an individual or company)  
of .....  
(Address)

do hereby accord recognition to .....  
(Name of trade union)  
of ..... in respect of  
(Address)

\* all classes of employees employed by \*me.  
\*the following class/classes† \*us.

.....  
.....  
.....  
Dated this ..... day of ..... 19.....

.....  
*Signature of employer (in the case of  
a company, the representative of the  
company).*

\*Delete whichever is inapplicable.

†State in the space above the class or classes of employees concerned.

## LEGISLATIVE HISTORY

### INDUSTRIAL RELATIONS (RECOGNITION OF A TRADE UNION OF EMPLOYEES) REGULATIONS (CHAPTER 136, RG 3)

This Legislative History is provided for the convenience of users of the Industrial Relations (Recognition of a Trade Union of Employees) Regulations. It is not part of these Regulations.

**1. G. N. No. S 48/1966—Industrial Relations (Recognition of a Trade Union of Employees) Regulations 1966**

Date of commencement : Date not available

**2. G. N. No. S 41/1966—Industrial Relations (Recognition of a Trade Union of Employees) Regulations 1966**

Date of commencement : 4 March 1966

