# Central Arbitration Committee: Application under Part III Paragraph 66 of Schedule A1 to the Trade Union and Labour Relations (Consolidation) Act 1992

## Application to the Central Arbitration Committee to determine whether the bargaining unit is no longer appropriate and, if so, what would constitute an appropriate bargaining unit

**1. Party making the application:**

**Name:**

**Name of contact:**

**Address for correspondence:**

**Telephone:**

**E-mail:**

**2. Other party to whom this application has been copied:**

**Employer name:**

**Name of contact:**

**Address:**

**Telephone:**

**E-mail:**

**3. Is the union recognised as the result of a CAC declaration? YES/NO**

**4. Has a method of collective bargaining been agreed between the parties or decided by the CAC? YES/NO**

**5. Description and location of the current bargaining unit (known as the ‘original’ bargaining unit):**

**6. Description of the bargaining arrangements (please attach to this form a copy of any agreement between the employer and the union):**

**7. Do you consider that the original bargaining unit is no longer appropriate for one or more of the following reasons? Please give a brief explanation in each case.**

**a) There has been a change in the organisation or structure of the business carried on by the employer:**

**b) There has been a change in the activities pursued by the employer in the course of the business carried on by him;**

**c) There has been a substantial change in the number of workers employed in the original bargaining unit.**

**8. Please describe the bargaining unit(s) you consider would be appropriate:**

**9. Location of the proposed new bargaining unit(s):**

**10. Why do you think the proposed bargaining unit(s) would be more appropriate?**

**11. How many workers are in the proposed new bargaining unit(s)?**

**12. Has the proposed new bargaining unit(s) been agreed with the other party? YES/NO**

**13. If the answer to Question 12 is ‘Yes’, does the proposed bargaining unit have any workers in common with another existing bargaining unit as far as you know? YES/NO**

**14. If the answer to Question 13 is ‘Yes’, please give details:**

**15. Do the union(s) recognised have a current certificate of independence? YES/NO**

**16. When was this application and supporting documents copied to the other party?**

**Name:**

**Signature:**

**Position of signatory:**

**Date:**

**Please send the completed form and any attachments to the other party entered for question 2. The completed application and attachments can be emailed to the CAC at** **enquiries@cac.gov.uk****. There is no requirement to send a hard copy.**

## Explanatory notes

This application form is to be used if either the employer or the union considers that the current bargaining unit is no longer appropriate. It is not to be used if the employer has given notice that it considers the bargaining unit no longer exists - a separate form is available from the CAC for this purpose.

**Please note that the application form and all supporting documents must be copied to the other party.**

1. Either party, the employer or the union, may make an application under Part III to the CAC if it believes the original bargaining unit is no longer appropriate.

2. If the employer is making this application, details of the union(s) should be provided, and vice versa.

3. & 4. In order for the application to be admissible it must relate to a bargaining unit where the union is recognised for collective bargaining as the result of a CAC declaration, and a method of collective bargaining must be in place.

5. & 6. Please give sufficient information to ensure the CAC can identify the bargaining unit for which the CAC declared recognition, and the bargaining arrangements. The description of the bargaining unit should be sufficiently comprehensive to enable it to be readily identified so that it is clear which workers are included in the bargaining unit and which are not. The workplace or workplaces in which the bargaining unit is located should be listed.

7. The reason why you consider the original bargaining unit to be no longer appropriate must be due to one or more of the following reasons:

(a) a change in the organisation or structure of the business carried on by the employer;

(b) a change in the activities pursued by the employer in the course of business carried on by him;

(c) a substantial change in the number of workers employed in the original unit.

8. & 9. Please state the bargaining unit you consider would be appropriate and its location.

10. Please give your reasons for believing the proposed new unit is appropriate. If the CAC accepts this application the first step is for the parties to try to agree a bargaining unit. If the parties cannot agree then the CAC will decide what the bargaining unit will be.

11. The number should include all workers in the bargaining unit employed by the employer, whether permanent or temporary. Part-time workers should be counted as whole numbers.

12. Self explanatory

13. If you are proposing more than one new bargaining unit, this question should be answered for each one individually. This box should be completed if there are workers in common with an existing “outside” bargaining unit, whether statutory or voluntary, involving a different union.

An outside bargaining unit is a separate bargaining unit which has bargaining arrangements in place, and the union recognised is different to the union recognised for the original bargaining unit. (Or if the outside bargaining unit has more than one union recognised, then at least one of them is not recognised for the original bargaining unit.) Please give details of any workers in the agreed new unit, who are also included in an outside bargaining unit.

If there are any workers falling within both units the CAC will not be able to declare recognition for the proposed new bargaining unit.

14. See note for 13.

15. The union making the request to the employer must possess a certificate of independence issued by the Certification Officer.

16. Self explanatory

If there is more than one union making the application, then signatures are required from representatives of all unions.

## Further guidance

The [CAC website](http://www.cac.gov.uk) contains a detailed guide to the legislation and the full text of published CAC decisions.