employment law for employees in Northern Ireland

SC CONNOLLY & CO
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Client briefing · October 2026 · your rights, tribunal claims, compensation, discrimination and contracts

An employee's guide

If you have been dismissed, treated unfairly or not paid what you are owed, the law in Northern Ireland gives you real protection. But the rules are different from those in Great Britain, the time limits are short, and the procedure must be followed precisely. This guide explains your rights, when you can bring a claim, what you could be awarded, and how to get the best outcome, whether by agreement or at a tribunal.

Which rights do you have, and when?

Right	Service needed in Northern Ireland
Not to be unfairly dismissed	One year's continuous employment
Protection against dismissal for pregnancy, whistleblowing, health and safety concerns, asserting a statutory right or trade union reasons	None: protected from day one
Not to be discriminated against, harassed or victimised	None: applies even when applying for a job
To be paid correctly, including holiday pay and the minimum wage	None
A statutory redundancy payment	Two years' continuous employment
A written statement of your terms	Within two months of starting

Changes in Great Britain do not apply here

In Great Britain, the qualifying period for unfair dismissal is being reduced to six months, and the cap on compensation removed, from January 2027. Those changes do not apply in Northern Ireland, where you still need one year's service. The Executive's proposed "Good Jobs" Employment Rights Bill could bring further changes, but it is not yet law.

Act quickly

Most claims must be started within three months, less one day, of your dismissal or the act you are complaining about. That deadline is usually strictly enforced. If you think you have a claim, take advice straight away.

Workers and zero-hours staff

Workers are entitled to the minimum wage, holiday pay and protection from discrimination.

Whistleblowing

Reporting wrongdoing in the public interest is protected from day one, with uncapped compensation.

Pregnancy and family leave

Dismissal because of pregnancy or family leave is automatically unfair, whatever your service.

Early conciliation, your claim form, the timetable and the tribunal's powers

Step by step

1 Raise a grievance

In most cases, you must first set out your complaint to your employer in writing. This is the statutory grievance procedure, and failing to do it can bar or reduce your claim.

2 Notify the Labour Relations Agency

Before lodging a claim, you must contact the LRA for early conciliation. The deadline is paused for up to a month, sometimes longer, while an LRA officer explores a settlement.

3 Lodge your claim (ET1)

If the dispute is not settled, the LRA issues a certificate. You then lodge your claim with the Office of the Industrial Tribunals and the Fair Employment Tribunal, within the time limit.

4 Your employer responds (ET3)

Your employer has 28 days to respond and set out its defence.

5 Preparing the case

The tribunal sets a timetable for exchanging documents and witness statements, and may hold a preliminary hearing.

6 The hearing

Usually several months after the claim, longer in discrimination cases. The tribunal hears evidence from both sides and gives its judgment.

What to put in your grievance

Set out the facts clearly and in date order: what happened, who was involved and when. Say what you believe was wrong, for example that it was because of your age or disability, and what outcome you want. Keep it calm and factual, and keep a copy. If you are dismissed, put your appeal in writing too.

How the tribunal can help you

The tribunal can order your employer to:

- disclose documents, including emails, messages and notes of meetings about you, even those that harm its case;
- give further information about its defence;
- produce witnesses, through witness orders.

It can also strike out a defence, or require a deposit, if the employer's case has little prospect of success, and it can make unless orders if directions are ignored.

Time limits

- Most claims: three months, less one day, plus the conciliation pause.
- Redundancy pay and equal pay: six months.
- Late claims are accepted only if it was not reasonably practicable to claim in time, or for discrimination, if it is just and equitable to extend time.

Keep a record

From the moment a problem arises, keep copies of your contract, payslips, emails, letters and messages, and make dated notes of meetings and conversations. Evidence gathered at the time is far more persuasive than memory months later.

Do not wait for an appeal outcome

The time limit for a tribunal claim runs from the dismissal, not from the end of an internal appeal. If your appeal is still going on, contact the LRA anyway, to protect your position.

What the tribunal is like, costs, and getting help

Less formal than a court

- Cases are usually heard by an employment judge with two lay members, one with an employer and one with an employee background.
- Nobody wears wigs or gowns, and hearings take place around a table.
- The strict rules of evidence used in the courts do not apply.
- You can represent yourself, and the tribunal will make allowances. But your employer is likely to be legally represented, and the law can be complex.
- Hearings are public, and judgments are published online.

Will I have to pay my employer's costs?

Usually not. There are no tribunal fees in Northern Ireland, and each side normally pays its own legal costs, whoever wins. The tribunal can order you to pay costs only if you act unreasonably, or pursue a claim with no reasonable prospect of success. It is important to take advice on the merits before you start, and to consider any settlement offer carefully.

Funding your claim

- Legal expenses insurance: many home and car insurance policies include employment cover. Check your policy before you do anything else.
- Trade union: if you are a member, your union may provide advice and representation.
- Legal aid: civil legal aid in Northern Ireland can help with advice and preparation for those on low incomes, but full representation at a tribunal is rarely funded.
- Equality Commission: may advise and, in some cases, support discrimination claims.
- Private funding: we will give you a clear estimate, and discuss staged fees.

Settlements

Most claims settle. A settlement is binding only if recorded by an LRA conciliation officer, or set out in a compromise agreement signed after you receive independent legal advice. Your employer will usually pay a contribution towards that advice. A settlement can include an agreed reference and a tax-efficient payment.

If you win and are not paid

An unpaid tribunal award can be registered with the Enforcement of Judgments Office, which can recover it from wages, bank accounts or property. Interest is added to unpaid awards.

Preparing for the hearing

- A bundle of all the relevant documents is agreed between the parties.
- You and your witnesses give written statements, which stand as your evidence, and are then questioned by your employer's representative.
- Your evidence of loss, including job applications and new earnings, is set out in a schedule of loss.

On the day

Arrive early, bring copies of your bundle and statement, and expect a full day, or several days in a longer case. Answer questions honestly, briefly and calmly. The judge and lay members will ask questions too. A decision may be given at the end of the hearing or in writing later.

Compensation, reinstatement and other awards

Unfair dismissal (from 6 April 2026)

Award	Northern Ireland limit
A week's pay, for the basic award and redundancy	£783
Maximum basic award (30 weeks)	£23,490
Maximum compensatory award	£123,785
Minimum basic award in certain automatically unfair cases	£9,512
Breach of contract claims in the tribunal	£25,000

The basic award

One and a half weeks' pay for each complete year worked aged 41 or over, one week for each year aged 22 to 40, and half a week below 22, counting back up to 20 years, with a week's pay capped at £783.

The compensatory award

Your actual financial loss: lost earnings to the hearing and into the future, lost pension, and expenses of looking for work. In Northern Ireland this is not limited to a year's pay, and there is no cap in whistleblowing and health and safety cases. You must try to find new work, and keep a record of every application, because the award can be reduced if you do not. It can also be reduced if your own conduct contributed to the dismissal.

Keep a job search record

Keep copies of every job advert, application and reply, and records of any new earnings. A detailed record is the best way to prove your loss, and to answer any suggestion that you did not try hard enough to find work.

Extra awards in your favour

- If your employer did not follow the statutory procedure, a written statement of the reasons, a meeting and an appeal, the dismissal is automatically unfair, your basic award is at least four weeks' pay, and compensation is usually increased by 10% and up to 50%.
- If you never received a written statement of your terms, two or four weeks' pay can be added.
- Interest is added to discrimination awards.

Getting your job back

You can ask the tribunal to order reinstatement (your old job) or re-engagement (a comparable job). It will consider whether this is practicable. If your employer refuses to comply, it must pay an additional award of 26 to 52 weeks' pay.

Other claims you can bring

- Unpaid wages, commission, overtime or deductions you did not agree to.
- Holiday pay, which must include regular overtime and commission. In Northern Ireland there is no two-year limit on claims for a series of underpayments.
- Notice pay: at least one week per complete year of service, up to 12 weeks.
- Redundancy pay after two years' service.

Tax

The first £30,000 of compensation for loss of employment is usually tax-free, but notice pay and holiday pay are taxed as earnings.

State benefits

If you claim benefits after dismissal, part of a tribunal award may be paid back to the Department for Communities. Settlements reached before a tribunal judgment are not usually subject to this, which can make an early settlement more valuable to you.

What discrimination is, and how to prove it

You are protected on grounds of:

Age	Sex, including pregnancy and maternity
Disability	Gender reassignment
Race and nationality	Marital or civil partnership status
Religious belief	Political opinion
Sexual orientation	Part-time and fixed-term status

The forms it takes

- Direct: being treated less favourably because of a protected ground.
- Indirect: a rule that applies to everyone but disadvantages your group, and cannot be justified.
- Harassment: unwanted conduct that violates your dignity or creates a hostile environment.
- Victimisation: being punished for complaining of discrimination, or supporting someone who did.
- Disability: including your employer's failure to make reasonable adjustments.

Religion and politics

Claims of discrimination on grounds of religious belief or political opinion go to the Fair Employment Tribunal, which is unique to Northern Ireland.

Reasonable adjustments

If you have a disability, your employer must make reasonable adjustments, such as changes to hours, duties, equipment or the workplace. Ask in writing, explain what would help, and keep a record of the response.

Proving discrimination

Discrimination is rarely admitted, so the law helps you. If you can show facts from which the tribunal could conclude that discrimination occurred, the burden shifts to your employer to prove that it did not discriminate.

The questionnaire procedure

Northern Ireland has kept the statutory questionnaire procedure. You can send your employer formal written questions, for example about how others were treated. If your employer fails to answer, or gives evasive answers, the tribunal can draw an inference of discrimination. We can draft the questionnaire for you.

Compensation

- Discrimination compensation is uncapped.
- It covers all financial loss, and an award for injury to feelings, banded according to seriousness.
- Aggravated damages may be added where the employer behaved particularly badly, and interest is payable.
- Individual managers or colleagues can be named and ordered to pay compensation personally.

If you complain, you are protected

You must not be treated badly because you raised a genuine complaint of discrimination. If you are, that is victimisation, a separate claim that is often easier to prove than the original complaint.

Evidence that helps

Remarks about your age, sex, religion, disability or other characteristic; how comparable colleagues were treated; sudden changes after you disclosed a pregnancy or illness; inconsistent explanations from your employer; and statistics about who was dismissed or promoted.

What your contract must give you, and what it cannot take away

Your written statement

Your employer must give you a written statement of your main terms within two months of starting. It should set out:

- your employer's name, your start date and continuous employment date;
- your pay, how it is calculated and when it is paid;
- your hours, place of work and job title;
- holidays and holiday pay;
- sickness absence and sick pay;
- pensions;
- notice periods;
- disciplinary and grievance procedures.

Holiday and sick pay

You are entitled to 5.6 weeks' paid holiday a year, which may include public holidays, paid at your normal rate including regular overtime and commission. From April 2026, Statutory Sick Pay is paid from your first day of absence, at the lower of £123.25 a week or 80% of your average earnings. Your contract may give you more.

Family and flexible working rights

You have rights to maternity, paternity, adoption, shared parental and parental bereavement leave, including two weeks' leave after a miscarriage before 24 weeks from April 2026. After 26 weeks' service you can request flexible working, and your employer must deal with the request reasonably and within the statutory timescales.

Probation and references

A probationary period does not remove your statutory rights. If your employer gives a reference, it must be true, accurate and fair.

Can your contract take away your rights?

No. Your contract can give you more than the law requires, but any term that gives you less, or tries to exclude a statutory right, is unenforceable. You cannot sign away your right to bring a tribunal claim, except in an LRA-recorded settlement or a compromise agreement signed after independent legal advice.

Your rights in meetings

At a disciplinary or grievance hearing, you have the right to be accompanied by a colleague or trade union representative. Before any dismissal, your employer must tell you the reasons in writing, meet you, and offer an appeal.

Traps to avoid

Missing the three-month deadline. Not raising a written grievance first. Resigning in anger before taking advice: resignation is a claim only if your employer has seriously breached your contract. Signing anything at a final meeting without advice. Posting about your employer on social media. Failing to look for new work after dismissal. Copying confidential documents you are not entitled to take.

Constructive dismissal

If your employer seriously breaches your contract, for example by cutting your pay or tolerating bullying, you may be able to resign and claim unfair dismissal. You must act promptly and resign because of the breach. Take advice first: these claims are difficult.

Worked example

Emma, aged 60: “we want a younger team”

Emma, aged 60, has worked for 15 years as an office administrator, earning £32,000 a year (about £615 a week), with a 5% employer pension contribution. The managing director, Michael, aged 45, tells her the business “wants a younger team going forward” and that she should finish at the end of the month. Nothing is put in writing, and she is offered no appeal.

Emma’s claims

- Direct age discrimination: the “younger team” remark is strong evidence, and the burden shifts to the employer.
- Unfair dismissal: Emma has more than a year’s service, and there was no fair reason or fair process.
- Automatic unfairness: the statutory procedure was not followed, so her award should be increased.
- Notice pay: she is entitled to 12 weeks, not one month.
- Written statement: if she never received one, two to four weeks’ pay may be added.

What Emma could recover

Element	Approximate
Basic award: 15 years × 1.5 × £615	£13,840
Notice pay shortfall (about 8 weeks)	£4,900
Loss of earnings and pension, say 18 months	£45,000
Injury to feelings (middle band)	£15,000
Uplift for procedural failure (10% to 50%)	£6,000 to £30,000
Possible total, before interest	£85,000 to £110,000

Illustrative only. If Emma cannot find work before retirement, her loss could be much greater.

What Emma should do now

- Write down exactly what was said, when, and who was present.
- Do not resign or sign anything before taking advice.
- Raise a written grievance, setting out what happened and that she believes it was because of her age.
- Ask for the reasons for her dismissal in writing.
- Diarise the three-month deadline, and contact the LRA in good time.
- Check her home insurance for legal expenses cover.
- Start looking for work, and keep a record of every application.
- Consider sending a questionnaire about the ages of those retained and recruited.

Likely outcome

A claim like Emma’s often settles at early conciliation or shortly after the claim is lodged, through a compromise agreement. A realistic settlement takes account of her prospects of new work, the risks on both sides, and the time a hearing would take.

Negotiating well

Know your realistic range before negotiating. Put proposals in writing, consider non-financial terms such as an agreed reference, and remember that an early settlement avoids months of stress and the risk of losing at a hearing.

Keeping it proportionate, mediation, the border, and our role

Focus on what matters

Tribunal claims are stressful and can take many months. Spending time and money arguing about a single disputed holiday day, a small expense claim or the precise wording of a letter is rarely worth it. We will give you an honest view of the strengths and weaknesses of your case, what you might realistically recover, and the cost of getting there, so that you can make an informed decision.

Mediation and conciliation

- Workplace mediation can resolve a dispute while you are still employed, and keep your job.
- LRA early conciliation is free and confidential, and many claims settle at this stage.
- Judicial mediation may be offered by the tribunal.
- A negotiated exit under a compromise agreement can include compensation, a reference and agreed wording for colleagues.

Claims are rising

GB tribunals received 23% more single claims in 2024/25, and complaints to the Workplace Relations Commission in the Republic rose by 44% in 2025. Employees are increasingly prepared to enforce their rights.

Deadlines at a glance

Raise a written grievance as soon as possible. Contact the LRA within three months, less one day, of dismissal or the act complained of (six months for redundancy or equal pay). Lodge your claim before the extended deadline on your early conciliation certificate. Appeal internally within the time your employer allows, usually five working days.

Living or working across the border

If you live in one jurisdiction and work in the other, which law and which tribunal applies depends mainly on where you habitually work and on your contract. If you work in the Republic, your claim will usually be brought to the Workplace Relations Commission under Irish law, which has different time limits (generally six months), procedures and compensation rules. Take advice early on which forum is right for you.

How we help employees

- Early advice on your rights and the merits of a claim.
- Drafting grievances, appeals and questionnaires.
- Early conciliation and negotiation with your employer.
- Advising on compromise agreements, often funded by your employer.
- Preparing and presenting claims at the Industrial and Fair Employment Tribunals.
- Working with your legal expenses insurer or trade union.
- Cross-border advice in both jurisdictions.

Bring to your first meeting

Your contract and any written statement, recent payslips, the dismissal letter or other key letters, emails and messages, your notes of meetings, and details of any legal expenses insurance or union membership.

Talk to us before you act

The earlier you take advice, the more options you have, and the less likely you are to miss a deadline.

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The law is rarely one size fits all. While the same legal principles apply, every case turns on its own facts. This guide is reviewed and updated as the law and tax rules change. This briefing is general information on the law of Northern Ireland as at October 2026. The worked example is illustrative. Please take advice on your own circumstances.

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