

## Isle of Man Employment Tribunal Jurisdiction List

Further information on:

- the application of these rights to persons other than employees;
- the qualifying periods of continuous employment (if any) required to enjoy the rights; and
- the time limits to bring particular types of cases to the Employment Tribunal,

can be found in the Department of Economic Development guides to employment rights.

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### Originating legislation

RPA	Redundancy Payments Act 1990
ESDA	Employment (Sex Discrimination) Act 2000
SA	Shops Act 2000
MWA	Minimum Wage Act 2001
EA	Employment Act 2006
SWMGO	Suspension from Work on Maternity Grounds Order 2007
MLR	Maternity Leave Regulations 2007
PLR	Paternity Leave (Birth) Regulations 2007
AdLR	Adoption Leave Regulations 2007
PLDCR	Parental Leave (Disabled Child) Regulations 2007
FWR	Flexible Working Regulations 2007
PIDPPO	Public Interest Disclosure (Prescribed Persons) Order 2007
ALR	Annual Leave Regulations 2007
PTWPLFTR	Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2007

<b>Descriptor of right infringed</b>	<b>Main originating legislation which provides the right</b>
Suffer discrimination or victimisation on grounds of sex or marriage at recruitment, during employment or at termination of employment.	ESDA Part 2 and s 35
Suffer discrimination in obtaining employment for trade union reasons etc.	EA Part 1
Suffer discrimination in obtaining the services of an employment agency due to membership or non-membership of a trade union.	EA Part 1
Employer's failure to provide a written statement of terms and conditions and any subsequent changes to those terms.	EA Part 2
Employer's failure to provide an itemised pay statement or an adequate pay statement.	EA Part 2
Failure of employer to pay wages or unauthorised deductions have been made from wages.	EA ss 21-28
Suffer a detriment during employment relating to being, not being or proposing to become a trade union member. Also, termination of the contract / dismissal / redundancy for the same reason.	EA ss 67, 71-72, 120, 128(7)
Unlawful inducement by employer to worker to relinquish trade union membership etc. Also, termination of the contract / dismissal / redundancy for the same reason.	EA ss 29-34, 67, 71-72, 120, 128(7)
Suffer a detriment for taking "protected industrial action". Also, dismissal / redundancy for the same reason.	EA ss 69, 71-72, 124, 128(11).
Suffer selective dismissal etc. in connection with any industrial action.	EA s 130
Failure to allow time off with pay for trade union duties.	EA ss 35-36, 48
Failure to allow time off for trade union activities.	EA ss 37-38, 48
Failure to allow time off with pay for ante-natal care.	EA ss 43-44, 48
Failure to allow time off for jury service and other public duties.	EA ss 39-40, 48
Failure to allow time off with pay to seek work during a redundancy situation.	EA ss 41-42, 48
Failure to allow time off with pay for pension scheme trustee duties or suffering a detriment for taking such time off etc. Also, dismissal / redundancy for the same reason.	EA ss 45-48, 63, 71-72, 117, 128(4)
Failure to provide alternative work or to pay remuneration whilst suspended from work for health and safety reasons whilst pregnant or on maternity	EA ss 74-78 SWMGO

leave.	
Suffer a detriment on grounds of pregnancy, childbirth, requesting or taking maternity leave. Also, dismissal / redundancy for one of these reasons.	EA ss 65, 71-72, 79-83, 114; MLR
Suffer a detriment due to requesting or taking paternity leave. Also, dismissal / redundancy for the same reason.	EA ss 65,71-72, 90-94,114; PLR
Suffer a detriment due to requesting or taking adoption leave. Also, dismissal / redundancy for the same reason.	EA ss 65,71-72, 95-98,114; AdLR
Suffer a detriment due to requesting or taking parental leave where the child has a disability. Also, dismissal / redundancy for the same reason.	EA ss 65,71-72, 84, 86-89,114; PLDCR
Employer's breach of statutory procedure under the Flexible Working Regulations. Suffering a detriment for asserting rights under the Regulations. Also, dismissal / redundancy for the same reason.	EA ss 66,71-72, 99-102, 122,128(9); FWR
Suffer a detriment for asserting an applicable employment right. Also, termination of the contract / dismissal / redundancy for the same reason.	EA ss 70-72, 119, 128(6)
Suffer a detriment for a health and safety reason. Also, termination of the contract / dismissal / redundancy for the same reason.	EA s 61, 71-73, 115,128(2)
Suffered a detriment for making a public interest disclosure ("blowing the whistle"). Also, termination of the contract / dismissal / redundancy for the same reason.	EA Part 4, ss 64,71-72, 118,128(5); PIDPPO
Failure to allow a worker to be accompanied or to accompany a fellow worker at a disciplinary/ grievance hearing or suffering a detriment for exercising or proposing to exercise the right. Also, termination of the contract / dismissal / redundancy for the same reason.	EA ss 68,71-72, Part 8, s 123,128(10)
Suffer a detriment for refusing to work on a Sunday. Also, dismissal / redundancy for the same reason (Shop workers only).	SA
Failure to grant paid annual leave / suffering a detriment for requesting or taking paid annual leave. Also, termination of the contract / dismissal / redundancy for the same reason.	EA ss 62, 116, 128(3), 167; ALR
Failure to pay minimum wage / suffering a detriment for claiming minimum wage etc. Also, termination of the contract / dismissal / redundancy for the same reason.	MWA; EA ss 121,128(8)
Suffer less favourable treatment as a result of being a part-time worker by comparison to a full time	EA ss 128(15) 165; PTWPLFTR

worker / suffering a detriment for asserting the right to no less favourable treatment. Also, termination of the contract / dismissal / redundancy for the same reason.	
Failure to provide equal pay for like work or work rated as equivalent by a job evaluation study.	ESDA Part 1 and s 35
Failure to provide notice of dismissal (statutory or contractual).	EA ss 106 109 Schedule2. See also EA ss 26 and 27
Failure to provide a written statement of reasons for dismissal or the contents of the statement are disputed.	EA s 110
Unfair dismissal on grounds of capability, conduct or some other general reason.	EA Part 10
Employer's failure to pay a redundancy payment.	RPA
Dismissal / redundancy on ground of race.	EA s 125, 128(12)
Dismissal / redundancy on ground of religion.	EA s 126, 128(13)
Dismissal on ground of sexual orientation.	EA s 127, 128(14)
On the event of the employer's insolvency or his leaving the Island failure by the DHSS to make a payment in lieu of specified debts (wages, redundancy, unpaid contributions to a pensions scheme etc.).	RPA ss25-27; EA Part 11

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