



DÁIL ÉIREANN

AN BILLE UM CHAIDREAMH SAN ÁIT OIBRE, 2014 WORKPLACE RELATIONS BILL 2014

LEASUITHE COISTE COMMITTEE AMENDMENTS

DÁIL ÉIREANN

AN BILLE UM CHAIDREAMH SAN ÁIT OIBRE, 2014 —ROGHCHOISTE

WORKPLACE RELATIONS BILL 2014 —SELECT COMMITTEE

Leasuithe Amendments

SECTION 2

1. In page 8, between lines 6 and 7, to insert the following:

“ “Act of 1994” means the Maternity Protection Act 1994;

“Act of 1995” means the Adoptive Leave Act 1995;”.

—An tAire Post, Fiontar agus Nuálaíochta.

2. In page 8, between lines 12 and 13, to insert the following:

“ “Act of 2012” means the Protection of Employees (Temporary Agency Work) Act 2012;”.

—An tAire Post, Fiontar agus Nuálaíochta.

3. In page 8, to delete lines 20 to 23 and substitute the following:

“ “employee” and “employer” shall be construed in accordance with *section 3**;”.

—An tAire Post, Fiontar agus Nuálaíochta.

[*This is a reference to the section proposed to be inserted by amendment no. 5.]

4. In page 10, between lines 11 and 12, to insert the following:

“ “worker” means, in relation to a relevant enactment, a worker within the meaning of that enactment.”.

—Peadar Tóibín.

SECTION 3

5. In page 10, between lines 11 and 12, to insert the following:

“Construction of references to employer and employee

3. (1) For the purpose of the operation of this Act, and to the extent only that this Act applies, in relation to a relevant enactment—

(a) references in this Act to employer shall be construed as references to employer within the meaning of the relevant enactment concerned, and

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- (b) references in this Act to employee shall be construed as references to employee within such meaning.
- (2) For the purpose of the operation of this Act, and to the extent only that this Act applies, in relation to the Act of 1946, references in this Act to employee shall be construed as references to worker within the meaning of the Act of 1946.
- (3) For the purpose of the operation of this Act, and to the extent only that this Act applies, in relation to the Act of 1994, references in this Act to employer shall be construed as references to relevant employer within the meaning of the Act of 1994.
- (4) For the purpose of the operation of this Act, and to the extent only that this Act applies, in relation to the Act of 1995—
 - (a) references in this Act to employer shall be construed as references to relevant employer within the meaning of the Act of 1995, and
 - (b) references in this Act to employee shall be construed as references to adopting parent within such meaning.
- (5) For the purpose of the operation of this Act, and to the extent only that this Act applies, in relation to the Inland Fisheries Act 2010 (in this subsection referred to as the “Act of 2010”), references in this Act to employer shall be construed as references to IFI within the meaning of the Act of 2010.
- (6) For the purpose of the operation of this Act, and to the extent only that this Act applies, in relation to the Act of 2012—
 - (a) references in this Act to employer shall be construed as including references to hirer within the meaning of the Act of 2012, and
 - (b) references in this Act to employee shall be construed as including references to agency worker within such meaning.
- (7) For the purpose of the operation of this Act, and to the extent only that this Act applies, in relation to the European Communities (Organisation of Working Time) (Mobile Staff in Civil Aviation) Regulations 2004 (S.I. No. 494 of 2004), references in this Act to employee shall be construed as references to crew member within the meaning of those Regulations.
- (8) For the purpose of the operation of this Act, and to the extent only that this Act applies, in relation to the European Communities (European Cooperative Society) (Employee Involvement) Regulations 2007 (S.I. No. 259 of 2007)—
 - (a) references in this Act to employer shall be construed as references to relevant undertaking within the meaning of those Regulations or SCE within such meaning, as may be appropriate, and
 - (b) references in this Act to employee shall be construed as references to a person referred to in clause (a), (b), (c) or (d) of Regulation 20(1) of those Regulations.
- (9) For the purpose of the operation of this Act, and to the extent only that this Act applies, in relation to the European Communities (Cross Border Mergers) Regulations 2008 (S.I. No. 157 of 2008)—

[SECTION 3]

- (a) references in this Act to employer shall be construed as references to relevant company within the meaning of those Regulations, and
 - (b) references in this Act to employee shall be construed as references to a person referred to in clause (a), (b), (c) or (d) of Regulation 39(1) of those Regulations.
- (10) For the purpose of the operation of this Act, and to the extent only that this Act applies, in relation to the European Communities (Working Conditions of Mobile Workers engaged in Interoperable Cross Border Services in the Railway Sector) Regulations 2009 (S.I. No. 377 of 2009), references in this Act to employee shall be construed as references to mobile worker within the meaning of those Regulations.
- (11) For the purpose of the operation of this Act, and to the extent only that this Act applies, in relation to the European Communities (Road Transport) (Organisation of Working Time of Persons Performing Mobile Road Transport Activities) Regulations 2012 (S.I. No. 36 of 2012), references in this Act to employee shall be construed as references to mobile worker within the meaning of those Regulations.”.

—An tAire Post, Fiontar agus Nuálaíochta.

SECTION 7

6. In page 11, between lines 28 and 29, to insert the following:

“Repeal of enactments

7. (1) The enactments specified in *column (3)* of *Schedule 2** are repealed to the extent specified in *column (4)* of that Schedule.
- (2) The repeals effected by *subsection (1)* shall not apply in respect of complaints or disputes made, presented or referred to a rights commissioner under an enactment specified in *column (3)* of *Schedule 2** before the commencement of *Part 4*.
- (3) The repeal of section 11 of the Act of 1973 effected by *subsection (1)* shall not apply in relation to a dispute referred to the Employment Appeals Tribunal under that Act before the commencement of *Part 4*.
- (4) The repeal of section 11 of the Act of 1977 effected by *subsection (1)* shall not apply in relation to a claim for redress under that Act brought before the commencement of *Part 4*.
- (5) This section shall come into operation upon the commencement of *Part 4*.”.

—An tAire Post, Fiontar agus Nuálaíochta.

[*Acceptance of this amendment involves the deletion of section 7 of the Bill.*]

[**This is a reference to the Schedule proposed to be inserted by amendment no. 83.*]

SECTION 10

7. In page 13, between lines 21 and 22, to insert the following:

- “(3) The Commission shall establish a mechanism to provide for representation by or on behalf of a retired employee in relation to his or her pension entitlements and the form of such mechanism may be prescribed by the Minister by way of regulation.”.

[SECTION 10]

—Dara Calleary.

8. In page 13, between lines 21 and 22, to insert the following:

“(3) The Commission shall establish a mechanism to provide for representation by or on behalf of a retired employee in relation to his or her deferred pension entitlements and the form of such mechanism may be prescribed by the Minister by way of regulation.”.

—Dara Calleary.

SECTION 19

9. In page 17, line 30, to delete “may” and substitute “shall”.

—Peadar Tóibín.

10. In page 17, line 31, after “appropriate” to insert “, including trade unions and employer representative bodies,”.

—Peadar Tóibín.

SECTION 27

11. In page 24, line 38, to delete “42 days” and substitute “14 days”.

—Peadar Tóibín.

12. In page 25, line 14, to delete “42 days” and substitute “14 days”.

—Peadar Tóibín.

SECTION 28

13. In page 26, between lines 7 and 8, to insert the following:

“Liability of a company officer or officers for a breach of employment law

28. Where a breach of employment law is committed by a body corporate or by a company officer or officers acting on behalf of a body corporate and is determined to have been so committed, with the consent, connivance or approval of, or to have been attributable to any neglect on the part of, a person or persons who, when the breach was committed was a company officer or officers of the body corporate, then that person or persons shall be personally liable for the breach committed.”.

—Peadar Tóibín.

SECTION 29

14. In page 26, line 29, to delete “or deputy chairman” and substitute “or a deputy chairman”.

—An tAire Post, Fiontar agus Nuálaíochta.

SECTION 35

15. In page 30, line 12, to delete “42 days” and substitute “14 days”.

—Peadar Tóibín.

16. In page 30, line 14, to delete “€2,000” and substitute “€4,000”.

—Peadar Tóibín.

[SECTION 35]

17. In page 30, line 18, to delete “42 days” and substitute “14 days”.

—Peadar Tóibín.

18. In page 30, line 22, to delete “42 days” and substitute “14 days”.

—Peadar Tóibín.

SECTION 36

19. In page 30, after line 39, to insert the following:

“Prosecution of offence under relevant enactments

36. (1) The power vested in the Minister under any relevant enactment to bring and prosecute summary proceedings for an offence under that enactment is transferred to the Commission.

(2) References in any enactment or instrument under an enactment to the Minister in so far as they relate to a power transferred by this section shall be construed as references to the Commission.”.

—An tAire Post, Fiontar agus Nuálaíochta.

Section proposed to be deleted.

—An tAire Post, Fiontar agus Nuálaíochta.

SECTION 37

Section proposed to be deleted.

—An tAire Post, Fiontar agus Nuálaíochta.

SECTION 39

20. In page 33, between lines 7 and 8, to insert the following:

“Case resolution without reference to adjudication officer

39. (1) (a) Subject to *paragraph (b)*, the Director General may, where he or she is of the opinion that the complaint or dispute is capable of being resolved without being referred to an adjudication officer under *section 41*, refer the complaint for resolution to a mediation officer.

(b) The Director General shall not refer a complaint or dispute for resolution to a mediation officer if either of the parties to the complaint or dispute objects to its being so referred.

(2) Where a complaint or dispute is referred for resolution under this section the mediation officer concerned may—

(a) convene a meeting (in this section referred to as a “mediation conference”) in accordance with *subsection (3)* for the purpose of resolving the complaint or dispute, or

(b) employ such other means as he or she considers appropriate for the purpose of resolving the dispute.

[SECTION 39]

- (3) A mediation conference shall—
 - (a) take place at a time and place determined by the mediation officer,
 - (b) be attended by the mediation officer and the parties to the complaint concerned, and
 - (c) be conducted otherwise than in public.
- (4) Where a complaint or dispute referred to a mediation officer under this section is resolved, whether by mediation or otherwise—
 - (a) the mediation officer concerned shall record in writing the terms of the resolution,
 - (b) each of the parties to the complaint or dispute concerned shall, if satisfied that it accurately represents the terms of the resolution, sign the record thereof, and
 - (c) the mediation officer concerned shall send the record as so signed to the Director General and give a copy thereof to each of the parties to the complaint or dispute, as the case may be.
- (5)
 - (a) Where a mediation officer has attempted (whether by convening a mediation conference or other means) to resolve a complaint or dispute referred to him or her under this section and such conference or the employment of those other means has not resulted in a resolution of the complaint or dispute, the mediation officer shall notify the parties to the complaint or dispute and the Director General in writing of that fact.
 - (b) The Director General shall, upon receiving a notification under *paragraph (a)*, refer the complaint or dispute concerned for adjudication by an adjudication officer under *section 41*.
- (6) The terms of a resolution of a complaint or dispute recorded in writing and signed by the parties to the complaint or dispute in accordance with *subsection (5)* shall be binding on the parties and if either party contravenes any such term, the contravention shall be actionable in any court of competent jurisdiction.
- (7) The terms of a resolution referred to in *subsection (5)* shall not be disclosed by a mediation officer or by either party to the complaint or dispute concerned in any proceedings before a court (other than proceedings in respect of the contravention of the terms of the resolution), or otherwise.
- (8) All communications (including communications during a mediation conference) by a mediation officer with the parties to a complaint or dispute referred for resolution under this section to him or her and all records and notes, including records and notes relating to a mediation conference held for the purposes of resolving any matter to which the complaint or dispute concerned relates, shall be confidential and shall not be disclosed in any proceedings before a court (other than proceedings in respect of a contravention of the terms of a resolution referred to in *subsection (5)*), or otherwise.
- (9) In this section—

“complaint” means a complaint presented to the Director General under *section 41*;

[SECTION 39]

and

“dispute” means a dispute referred to the Director General under *section 41*.”

—An tAire Post, Fiontar agus Nuálaíochta.

SECTION 40

21. In page 34, between lines 32 and 33, to insert the following:

“(c) Any person appointed as an adjudication officer immediately after the commencement of this Part will be required to be adequately trained in the area of equality legislation, in addition to all relevant industrial relations and employment law.”.

—Peadar Tóibín.

22. In page 35, between lines 19 and 20, to insert the following:

“(9) A reference in any enactment to a rights commissioner shall be construed as including a reference to an adjudication officer.”.

—An tAire Post, Fiontar agus Nuálaíochta.

SECTION 41

23. In page 36, to delete lines 5 and 6.

—An tAire Post, Fiontar agus Nuálaíochta.

24. In page 36, between lines 6 and 7, to insert the following:

“(d) A person who is no longer employed, but who has an unresolved pensions dispute with their former employer, may refer the dispute to the Director General who shall refer it for adjudication by an adjudication officer.”.

—Mick Wallace.

25. In page 36, between lines 6 and 7, to insert the following:

“(d) A group of workers who are no longer employed, but who have an ongoing pensions dispute, with their former employer, shall have the right to form an association, or associations, to have their interests represented collectively in pursuing these issues for adjudication and negotiation.”.

—Mick Wallace.

26. In page 36, between lines 15 and 16, to insert the following:

“(iv) make a decision that a separate hearing for an employment equality case is required, in addition to a general employment rights decision,.”.

—Peadar Tóibín.

27. In page 36, between lines 21 and 22, to insert the following:

“(iii) in relation to the disposal of goods and provision of services and the disposal of premises and provision of accommodation as set out in the Act of 2000.”.

—Peadar Tóibín.

[SECTION 41]

28. In page 36, line 26, to delete “6 months” and substitute “2 years”.

—Peadar Tóibín.

29. In page 36, line 31, to delete “Adoptive Leave Act 1995” and substitute “Act of 1995”.

—An tAire Post, Fiontar agus Nuálaíochta.

30. In page 37, line 1, to delete “6 months” and substitute “2 years”.

—Peadar Tóibín.

31. In page 37, line 4, to delete “Maternity Protection Act 1994” and substitute “Act of 1994”.

—An tAire Post, Fiontar agus Nuálaíochta.

32. In page 37, line 5, to delete “6 months” and substitute “2 years”.

—Peadar Tóibín.

33. In page 37, line 14, to delete “6 months” and substitute “2 years”.

—Peadar Tóibín.

34. In page 37, line 28, to delete “6 months” and substitute “2 years”.

—Peadar Tóibín.

35. In page 37, line 32, to delete “6 months” and substitute “2 years”.

—Peadar Tóibín.

36. In page 38, to delete lines 5 and 6 and substitute the following:

“(10) The Commission shall publish on the internet in such form and in such manner as it considers appropriate every decision (other than information that would identify the parties in relation to whom the decision was made) of an adjudication officer under this section.”.

—An tAire Post, Fiontar agus Nuálaíochta.

37. In page 38, to delete lines 7 to 11 and substitute the following:

“(11) A complainant may, in proceedings before an adjudication officer or the Labour Court in respect of a complaint presented, or dispute referred, by the complainant under this Part, be accompanied and represented by—

- (a) a trade union official within the meaning of section 11 of the Act of 1990,
- (b) an official of a body in respect of which the adjudication officer or Labour Court, as the case may be, is satisfied represents the interests of employers,
- (c) a practising barrister or practising solicitor,
- (d) in the case of a complainant who is less than 18 years of age, the complainant’s parent or guardian in addition to a person specified in *paragraph (a), (b) or (c)*, and
- (e) any other person with the permission of the adjudication officer or Labour Court,

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as may be appropriate.”.

—An tAire Post, Fiontar agus Nuálaíochta.

38. In page 38, to delete lines 7 to 11.

—Peadar Tóibín.

SECTION 43

39. In page 39, between lines 15 and 16, to insert the following:

“(2) Upon the hearing of an application under this section in relation to a decision of an adjudication officer requiring an employer to reinstate or reengage an employee, the District Court may, instead of making an order directing the employer to carry out the decision in accordance with its terms, make an order directing the employer to pay to the employee compensation of such amount as is just and equitable having regard to all the circumstances but not exceeding 104 weeks’ remuneration in respect of the employee’s employment calculated in accordance with regulations under section 17 of the Unfair Dismissals Act 1977.”.

—An tAire Post, Fiontar agus Nuálaíochta.

SECTION 44

40. In page 39, lines 38 and 39, to delete “affirming, varying or setting aside that decision”.

—An tAire Post, Fiontar agus Nuálaíochta.

41. In page 40, to delete lines 5 and 6 and substitute the following:

“(3) Subject to *subsection (4)**, a notice under *subsection (2)* shall be given to the Labour Court not later than 42 days from the date of the decision concerned.

(4) The Labour Court may direct that a notice under *subsection (2)* may be given to it after the expiration of the period specified in *subsection (3)* if it is satisfied that the notice was not so given before such expiration due to the existence of exceptional circumstances.”.

—An tAire Post, Fiontar agus Nuálaíochta.

[*This is a reference to the subsection proposed to be inserted by this amendment.]

42. In page 40, line 10, after “Court” to insert “, an Adjudication Officer, complainant, or respondent”.

—Peadar Tóibín.

43. In page 40, between lines 27 and 28, to insert the following:

“(10) Proceedings under this section before the Labour Court shall be conducted in public.”.

—An tAire Post, Fiontar agus Nuálaíochta.

[SECTION 47]

SECTION 47

44. In page 41, between lines 34 and 35, to insert the following:

“Appeal to High Court on point of law

47. A party to proceedings before the Labour Court under this Part may, not later than 42 days from the service on that party of notice of the decision of the Labour Court in those proceedings, appeal that decision to the High Court on a point of law, and the decision of the High Court in relation thereto shall be final and conclusive.”.

—An tAire Post, Fiontar agus Nuálaíochta.

[Acceptance of this amendment involves the deletion of section 47 of the Bill.]

SECTION 48

45. In page 42, line 2, after “may,” to insert “in cases not relating to the Act of 1998 or the Act of 2000,”.

—Peadar Tóibín.

SECTION 50

46. In page 42, between lines 36 and 37, to insert the following:

“Provisions relating to winding up and bankruptcy

50. (1) (a) There shall be included among the debts that, under a relevant provision are, in the distribution of the assets of a company being wound up, to be paid in priority to all other debts, all compensation payable under this Part by the company to an employee, and the relevant provision shall have effect accordingly, and formal proof of the debts to which priority is given under this subsection shall not be required except in cases where provision is otherwise made in relation thereto under the Act of 1963 or any enactment that repeals that Act.

- (b) In this subsection—

“Act of 1963” means the Companies Act 1963;

“relevant provision” means—

- (i) section 285 of the Act of 1963, or

- (ii) any provision—

(I) of an enactment that repeals that Act, and

(II) that makes provision in relation to the payment of debts in priority to other debts in the distribution of the assets of a company that is being wound up.

- (2) There shall be included among the debts that, under section 81 of the Bankruptcy Act 1988 are, in the distribution of the property of a bankrupt or arranging debtor, to be paid in priority to all other debts, all compensation payable under this Part by the bankrupt or arranging debtor, as the case may be, to an employee, and that section shall have effect accordingly, and formal proof of the debts to which priority is given

[SECTION 50]

under this subsection shall not be required except in cases where provision is otherwise made in relation thereto under that Act.”.

—An tAire Post, Fiontar agus Nuálaíochta.

SECTION 51

47. In page 43, between lines 11 and 12, to insert the following:

“Amendment of enactments

51. (1) The enactments specified in *column (3)* of *Schedule 6** are amended to the extent specified in *column (4)* of that Schedule.

(2) The amendments to the enactments specified in *column (3)* of *Schedule 6** shall not apply in relation to complaints or disputes made, presented or referred to a rights commissioner under any such enactment before the commencement of this Part.”.

—An tAire Post, Fiontar agus Nuálaíochta.

[*Acceptance of this amendment involves the deletion of section 51 of the Bill.*]

[**This is a reference to the Schedule proposed to be inserted by amendment no. 101.*]

48. In page 43, between lines 11 and 12, to insert the following:

“Certain decisions and recommendations of rights commissioners appealable to Labour Court under section 44

52. (1) Where a decision or recommendation in relation to a complaint or dispute to which *subsection (2)* of *section 7** applies was made by a rights commissioner before the commencement of *Part 4* and no appeal was brought from the decision or recommendation before such commencement, the decision or recommendation shall be appealable to the Labour Court under *section 44* as if the decision or recommendation were a decision of an adjudication officer under *section 41*.

(2) Where a decision or recommendation in relation to a complaint or dispute to which *subsection (2)* of *section 7** applies was not made before the commencement of *Part 4*, any decision or recommendation made by a rights commissioner in relation to the complaint or dispute after such commencement shall be appealable to the Labour Court under *section 44* as if the decision were a decision of an adjudication officer under *section 41*.”.

—An tAire Post, Fiontar agus Nuálaíochta.

[**This is a reference to the section proposed to be inserted by amendment no. 6.*]

SECTION 69

49. In page 48, between lines 30 and 31, to insert the following:

“Fees

69. The Minister may, in respect of—

(a) such services provided by the Commission as may be prescribed, and

[SECTION 69]

(b) such services provided by the Labour Court as may be prescribed, charge the recipient of any such service a fee for the purpose of defraying the cost of the provision of that service by the Commission or the Labour Court, as the case may be.”.

—An tAire Post, Fiontar agus Nuálaíochta.

[*Acceptance of this amendment involves the deletion of section 69 of the Bill.*]

Section opposed.

—Peadar Tóibín.

SECTION 73

50. In page 50, to delete lines 15 to 20 and substitute the following:

“(3A) The person who immediately before the commencement of *section 73* of the *Workplace Relations Act 2014* stood appointed as chairman shall, from such commencement, continue to be chairman for the unexpired period of the term of his appointment subject to the same terms and conditions as applied to his appointment immediately before such commencement.”.

—An tAire Post, Fiontar agus Nuálaíochta.

51. In page 51, to delete lines 1 to 11 and substitute the following:

“(d) the insertion of the following subsections:

“(4A) (a) A person who, immediately before the commencement of *section 73* of the *Workplace Relations Act 2014*, stood appointed as a workers’ member of the Court shall, from such commencement, continue to be a workers’ member of the Court for the unexpired period of the term of his appointment subject to the same terms and conditions as applied to his appointment immediately before such commencement.

(b) A person who, immediately before the commencement of *section 73* of the *Workplace Relations Act 2014*, stood appointed as an employers’ member of the Court shall, from such commencement, continue to be an employers’ member of the Court for the unexpired period of the term of his appointment subject to the same terms and conditions as applied to his appointment immediately before such commencement.

(4B) (a) The Minister may, after consultation with the designated body concerned, reappoint a person whose term of office as a workers’ member of the Court expires by the efflux of time to be a workers’ member of the Court.

(b) The Minister may, after consultation with the designated body concerned, reappoint a person whose term of office as an employers’ member of the Court expires by the efflux of time to be an employers’ member of the Court.

[SECTION 73]

(4C) Where a person—

- (a) appointed under subsection (4) to be a member of the Court,
- (b) who continues to be a member of the Court by virtue of subsection (4A), or
- (c) reappointed in accordance with subsection (4B) to be a member of the Court,

is, for whatever reason, unable to perform his functions as such member and the Minister is of the opinion that his inability to so perform his functions would unduly disrupt the performance by the Court or a division of the Court of its functions, a temporary vacancy in the membership of the Court shall be deemed to exist and the Minister may, after consultation with the designated body that nominated the person under that subsection, appoint a person to fill that temporary vacancy subject to such terms and conditions as the Minister shall determine.”.”.

—An tAire Post, Fiontar agus Nuálaíochta.

SECTION 74

52. In page 52, line 35, to delete “modifications.”.” and substitute “modifications.”, and”.

—An tAire Post, Fiontar agus Nuálaíochta.

53. In page 52, between lines 35 and 36, to insert the following:

“(e) the substitution of the following section for section 40 (inserted by section 9 of the Act of 1967):

“Appeal to High Court on point of law

40. A party to proceedings before the Labour Court under this Part may, not later than 42 days from the service on that party of notice of the decision of the Labour Court in those proceedings, appeal that decision to the High Court on a point of law, and the decision of the High Court in relation thereto shall be final and conclusive.”.”.

—An tAire Post, Fiontar agus Nuálaíochta.

54. In page 52, to delete lines 38 and 39 and substitute the following:

“(a) an appeal to the Employment Appeals Tribunal under subsection (15) of section 39 of that Act brought before the commencement of this section, or”.

—An tAire Post, Fiontar agus Nuálaíochta.

SECTION 77

55. In page 53, to delete lines 26 to 31 and substitute the following:

“(1A) A person who immediately before the commencement of section 77 of the Workplace Relations Act 2014 stood appointed as deputy chairman shall, from such commencement, continue to be deputy chairman for the unexpired period of the term of his appointment subject to the

[SECTION 77]

same terms and conditions as applied to his appointment immediately before such commencement.”.

—An tAire Post, Fiontar agus Nuálaíochta.

56. In page 53, to delete lines 36 to 39, and in page 54, to delete lines 1 to 3 and substitute the following:

“(c) the substitution of the following subsection for subsection (2):

“(2) (a) The Minister may designate a deputy chairman to perform the functions of the chairman in the absence of the chairman or where the office of chairman is vacant, and a deputy chairman so designated shall in such absence or upon such position becoming vacant perform those functions.

(b) References in any enactment shall, for the purposes of the performance of the functions of chairman by a deputy chairman designated under paragraph (a), include references to that deputy chairman.

(c) A person who, immediately before the commencement of *section 77* of the *Workplace Relations Act 2014*, stood appointed under subsection (1) shall be deemed to have been designated under paragraph (a).”.

(d) the deletion of subsections (3) and (4), and”.

—An tAire Post, Fiontar agus Nuálaíochta.

57. In page 54, to delete lines 4 to 7.

—An tAire Post, Fiontar agus Nuálaíochta.

58. In page 54, line 10, to delete “Court.” and substitute “Court.”.

—An tAire Post, Fiontar agus Nuálaíochta.

59. In page 54, to delete lines 11 to 20.

—An tAire Post, Fiontar agus Nuálaíochta.

SECTION 78

60. In page 54, lines 34 and 35, to delete “and paragraph (b) of subsection (3)”.

—An tAire Post, Fiontar agus Nuálaíochta.

61. In page 54, line 36, to delete “subsections (5), (9) and (10)” and substitute “subsections (3), (5), (9) and (10)”.

—An tAire Post, Fiontar agus Nuálaíochta.

62. In page 55, to delete lines 6 and 7 and substitute the following:

“(iii) by the substitution of “decision of an adjudication officer” for “recommendation of a rights commissioner” in paragraph (a) of subsection (1A).”.

[SECTION 78]

—An tAire Post, Fiontar agus Nuálaíochta.

63. In page 56, line 31, to delete “to that” and substitute “in relation to that”.

—An tAire Post, Fiontar agus Nuálaíochta.

64. In page 57, to delete line 21.

—An tAire Post, Fiontar agus Nuálaíochta.

65. In page 57, line 22, to delete “section 9.” and substitute “section 9, and”.

—An tAire Post, Fiontar agus Nuálaíochta.

66. In page 57, between lines 22 and 23, to insert the following:

“(f) the insertion of the following section:

“Appeal to High Court on point of law

10A. A party to proceedings before the Labour Court under this Act may, not later than 42 days from the service on that party of notice of the decision of the Labour Court in those proceedings, appeal that decision to the High Court on a point of law, and the decision of the High Court in relation thereto shall be final and conclusive.”.

—An tAire Post, Fiontar agus Nuálaíochta.

67. In page 57, to delete lines 23 to 25 and substitute the following:

“(2) The amendments to the Act of 1977 effected by this section shall not apply in relation to a claim for redress under that Act brought before the commencement of this section.”.

—An tAire Post, Fiontar agus Nuálaíochta.

SECTION 79

68. In page 57, between lines 25 and 26, to insert the following:

“Amendment of Protection of Employees (Employers’ Insolvency) Act 1984

79. (1) Section 1 of the Act of 1984 is amended, in subsection (1), by the insertion of the following definition:

“ ‘Act of 2014’ means the *Workplace Relations Act 2014*.”.

(2) Section 6 of the Act of 1984 is amended—

(a) in subparagraph (xxx) of paragraph (a) of subsection (2), by the deletion of “and” after “that Schedule,”,

(b) in subparagraph (xxxi) of that paragraph, by the substitution of “that Schedule, and” for “that Schedule.”,

(c) by the insertion of the following subparagraph after subparagraph (xxxi) (inserted by paragraph 6 of Schedule 2 of the Protected Disclosures Act 2014) in paragraph (a):

[SECTION 79]

“(xxxii) any amount that an employer within the meaning of the *Act of 2014* is required to pay by virtue of a decision of an adjudication officer or the Labour Court under *Part 4* of that Act.”,

- (d) in paragraph (b) of subsection (2), by the substitution of “, (xxxi) or (xxxii)” for “or (xxxi)”,
- (e) in paragraph (c) of subsection (2), by the substitution of “, (xxxi) or (xxxii)” for “or (xxxi)”, and
- (f) in the definition of “relevant date” in subsection (9), by the substitution of “, (xxxi) or (xxxii)” for “or (xxxi)”.

(3) Section 9 of the Act of 1984 is amended by—

(a) the substitution of the following subsection for subsection (1):

“(1) A person who has applied for a payment—

- (a) under section 6 of a debt described in subparagraph (i), (ii) or (iv) of subsection (2)(a) of that section, or
- (b) to be made under section 7 of this Act into the resources of a pension scheme,

may present a complaint to the Director General that—

- (i) the Minister has failed to make such payment, or
- (ii) any such payment made by the Minister is less than the amount that the Minister is required to pay under section 6 or 7, as may be appropriate.”,

(b) the insertion of the following subsections:

“(1A) The Director General shall refer a complaint presented to him or her under subsection (1) for adjudication by an adjudication officer.

(1B) An adjudication officer shall not entertain a complaint referred to him or her under this section if it has been presented to the Director General after the expiration of the period of 6 months beginning on the date of the decision by the Minister in relation to the application to which the complaint relates.

(1C) An adjudication officer may entertain a complaint or dispute to which this section applies presented to the Director General after the expiration of the period referred to in subsection (3) (but not later than 6 months after such expiration) if he or she is satisfied that the failure to present the complaint within that period was due to reasonable cause.”,

(c) the substitution of the following subsection for subsection (3):

“(3) Where a claim for payment is made under section 6 or 7 and it appears

[SECTION 79]

to the Minister that a doubt exists as to whether or not such claim is allowable (in whole or in part), he may refer any matter arising in connection with the claim to the Director General, and the Director General shall refer the matter for adjudication by an adjudication officer.”,

(d) the substitution, in subsection (4), of “adjudication officer” for “Tribunal” and “he” for “it”,

(e) the insertion of the following subsection:

“(6) In this section—

‘adjudication officer’ has the same meaning as it has in the *Act of 2014*; and

‘Director General’ means the Director General of the Workplace Relations Commission.”,

and

(f) the deletion of subsections (2) and (5).

(4) The following section is inserted in the Act of 1984:

“Appeal to Labour Court from declaration of adjudication officer under section 9

9A. *Section 44* of the *Act of 2014* shall apply to a decision of an adjudication officer given in relation to a complaint under section 9 as it applies to a decision of an adjudication officer given in proceedings under *section 41* of that Act, subject to the following modifications:

(a) the reference in subsection (1) of the said *section 44* to—

(i) proceedings under *section 41* shall be construed as a reference to a complaint under section 9 of this Act,

(ii) those proceedings shall be construed as a reference in relation to that complaint;

and

(b) any other necessary modifications.”.

(5) In this section “Act of 1984” means the Protection of Employees (Employers’ Insolvency) Act 1984.”.

—An tAire Post, Fiontar agus Nuálaíochta.

SECTION 80

69. In page 57, between lines 30 and 31, to insert the following:

“Amendment of section 10 of the Industrial Relations Act 1990

80. Section 10 of the Industrial Relations Act 1990 is amended by the insertion of the

[SECTION 80]

following subsections after subsection (3):

“(4) It shall be the right of citizens to form, join and be represented by trade unions, to bargain collectively, and to engage in industrial action and trade union activities.

(5) The recognition of all trade unions shall be mandatory.”.”.

—Peadar Tóibín.

70. In page 58, line 11, to delete “subsection (4)” and substitute “subsection (4B)”.

—An tAire Post, Fiontar agus Nuálaíochta.

71. In page 58, line 12, to delete “section 75” and substitute “section 78”.

—An tAire Post, Fiontar agus Nuálaíochta.

72. In page 58, line 13, to delete “75. Section” and substitute the following:

“78. Section”.

—An tAire Post, Fiontar agus Nuálaíochta.

73. In page 58, line 14, to delete “under this Act” and substitute “under section 77 of this Act”.

—An tAire Post, Fiontar agus Nuálaíochta.

74. In page 58, lines 16 and 17, to delete “that Act” and substitute “the *Act of 2014*”.

—An tAire Post, Fiontar agus Nuálaíochta.

75. In page 58, to delete line 38, and in page 59, to delete lines 1 to 3 and substitute the following:

“91. (1) *Section 43 of the Act of 2014* shall apply to a decision of the Director General of the Workplace Relations Commission under section 79 as it applies to a decision of an adjudication officer under *section 41* of that Act, subject to—”.

—An tAire Post, Fiontar agus Nuálaíochta.

76. In page 59, to delete lines 17 to 24 and substitute the following:

“(iii) references to decision of an adjudication officer shall be construed as references to decision of the Director General of the Workplace Relations Commission under section 79 of this Act;

(iv) the reference to decision of an adjudication officer under that section shall be construed as a reference to decision of the Director General of the Workplace Relations Commission under section 79 of this Act; and

(v) references to employee shall be construed as references to complainant within the meaning of Part VII of the Act of 1998 and references to employer shall be construed as references to respondent within such meaning.

[SECTION 80]

(2) *Section 45* of the *Act of 2014* shall apply to a decision of the Labour Court under *section 44* of that Act upon an appeal from a decision of the Director General of the Workplace Relations Commission under *section 79* subject to the modification that the following paragraph is substituted for paragraph (b) of subsection (1):

‘(b) on application to it in that behalf, with the consent of the complainant, by the Equality Authority.’”.

—An tAire Post, Fiontar agus Nuálaíochta.

77. In page 59, line 28, to delete “and”.

—An tAire Post, Fiontar agus Nuálaíochta.

78. In page 59, line 30, to delete “ “Minister”.” and substitute “ “Minister”, and”.

—An tAire Post, Fiontar agus Nuálaíochta.

79. In page 59, between lines 30 and 31, to insert the following:

“(m) in section 103, by—

(i) the substitution, in subsection (1), of “under this Part or *section 44* of the *Act of 2014* in accordance with *section 83*” for “under this Part”,

(ii) the substitution, in subsection (1), of “under this Part or under *section 44* of the *Act of 2014* in accordance with *section 83*” for “under this Part”,

(iii) the deletion of paragraphs (a) and (d) of subsection (3), and

(iv) the substitution of the following paragraph for paragraph (c):

“(c) a decision under *section 44* of the *Act of 2014* to which *section 83* applies.””.

—An tAire Post, Fiontar agus Nuálaíochta.

SECTION 81

80. In page 60, between lines 22 and 23, to insert the following:

“(g) in section 31, by the substitution of “District Court” for “Circuit Court” in each place that it occurs,

(h) in subsection (1) of section 32, by the substitution of “District Court” for “Circuit Court”.”.

—An tAire Post, Fiontar agus Nuálaíochta.

81. In page 60, to delete lines 24 to 27 and substitute the following:

“**31.** *Section 43* of the *Act of 2014* shall apply to a decision under *section 25* in relation to a case referred to the Director General of the Workplace Relations Commission under *section 21* as it applies to a decision of an adjudication officer under the said *section 41*, subject to—”.

—An tAire Post, Fiontar agus Nuálaíochta.

[SECTION 81]

82. In page 60, line 30, to delete “(a) on” and substitute “(b) on”.

—An tAire Post, Fiontar agus Nuálaíochta.

SCHEDULE 2

83. In page 65, to delete lines 3 to 46, and in page 66, to delete lines 1 to 34 and substitute the following:

“REPEAL OF ENACTMENTS

Part 1

ACTS OF THE OIREACHTAS

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Repeal (4) |
|------------------|------------------------|--------------------------------------------------------|----------------------------------------------------------------------------|
| 1. | No. 26 of 1946 | Industrial Relations Act 1946 | Sections 45C, 45D and 45E |
| 2. | No. 14 of 1969 | Industrial Relations Act 1969 | Section 13(1), (4), (5) and (7) |
| 3. | No. 4 of 1973 | Minimum Notice and Terms of Employment Act 1973 | Sections 11 and 13 |
| 4. | No. 25 of 1991 | Payment of Wages Act 1991 | Sections 8 and 9 |
| 5. | No. 5 of 1994 | Terms of Employment (Information) Act 1994 | Sections 6A, 9 and 10 |
| 6. | No. 34 of 1994 | Maternity Protection Act 1994 | Part V (other than sections 30(1), (2), (3), (5) and (6), 32 and 33A) |
| 7. | No. 2 of 1995 | Adoptive Leave Act 1995 | Part V (other than sections 31, 32(1), (2) and (4) and 33) |
| 8. | No. 16 of 1996 | Protection of Young Persons (Employment) Act 1996 | Sections 20, 21 and 22 |
| 9. | No. 20 of 1997 | Organisation of Working Time Act 1997 | Sections 8, 27 (other than subsections (1) and (3)), 29, 30 and 31 |
| 10. | No. 30 of 1998 | Parental Leave Act 1998 | Part IV (other than sections 18(1) and (2) and 21), 27(5) |
| 11. | No. 49 of 1998 | Protections for Persons Reporting Child Abuse Act 1998 | Section 4(7) |
| 12. | No. 5 of 2000 | National Minimum Wage Act 2000 | Part 5 (other than sections 24, 25, 26, 29, 34, 35, 36, 37, 38, 39 and 40) |

[SCHEDULE 2]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Repeal (4) |
|------------------|------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| 13. | No. 19 of 2001 | Carer's Leave Act 2001 | Part 4 (other than sections 17, 18 and 21) and sections 25 and 32 |
| 14. | No. 27 of 2001 | Prevention of Corruption (Amendment) Act 2001 | Schedule 1 (other than paragraphs 1(1) and (3), 2 and 3(7) and (8)) |
| 15. | No. 45 of 2001 | Protection of Employees (Part-Time Work) Act 2001 | Section 18 |
| 16. | No. 14 of 2002 | Competition Act 2002 | Schedule 3 (other than paragraphs 2, 3 and 5) |
| 17. | No. 29 of 2003 | Protection of Employees (Fixed-Term Work) Act 2003 | Part 3 (other than sections 14 and 15) |
| 18. | No. 4 of 2004 | Industrial Relations (Miscellaneous Provisions) Act 2004 | Sections 9 (other than subsections (5) and (10)), 11, 12 and 13 |
| 19. | No. 42 of 2004 | Health Act 2004 | Sections 55M (other than subsections (1), (1A), (2), (3), (4), (6) and (11)), 55N, 55O and 55P |
| 20. | No. 10 of 2005 | Safety, Health and Welfare at Work Act 2005 | Sections 30 and 31 |
| 21. | No. 9 of 2006 | Employees (Provision of Information and Consultation) Act 2006 | Paragraph 3 of Schedule 3 |
| 22. | No. 16 of 2006 | Employment Permits Act 2006 | Schedule 2 (other than paragraphs 1, 2, 5 and 6) |
| 23. | No. 19 of 2007 | Consumer Protection Act 2007 | Paragraph 3 of Schedule 6 |
| 24. | No. 13 of 2008 | Chemicals Act 2008 | Section 26 (other than subsections (1), (1A), (2), (3), (5) and (7)) |
| 25. | No. 6 of 2009 | Charities Act 2009 | Section 62(4), (6), (7) and (8) |
| 26. | No. 34 of 2009 | National Asset Management Agency Act 2009 | Schedule 2 (other than paragraphs 1 and 2) |
| 27. | No. 10 of 2010 | Inland Fisheries Act 2010 | Schedule 4 (other than paragraphs 1 and 2) |
| 28. | No. 22 of 2011 | Criminal Justice Act 2011 | Schedule 2 (other than paragraphs 1 and 2) |
| 29. | No. 40 of 2011 | Property Services (Regulation) Act 2011 | Schedule 4 (other than paragraphs 1, 2 and 3(7) and (8)) |

[SCHEDULE 2]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Repeal (4) |
|------------------|------------------------|----------------------------------------------------------------|--------------------------------------------------|
| 30. | No. 13 of 2012 | Protection of Employees (Temporary Agency Work) Act 2012 | Schedule 2 (other than paragraphs 1, 2 and 6) |
| 31. | No. 25 of 2013 | Further Education and Training Act 2013 | Schedule (other than paragraphs 1 and 2) |
| 32. | No. 26 of 2013 | Central Bank (Supervision and Enforcement) Act 2013 | Schedule 5 (other than paragraphs 1 and 2) |
| 33. | No. 14 of 2014 | Protected Disclosures Act 2014 | Schedule 2 (other than paragraphs 1 and 2) |

Part 2

STATUTORY INSTRUMENTS

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Repeal (4) |
|------------------|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 1. | S.I. No. 488 of 2000 | European Communities (Protection of Employment) Regulations 2000 | Regulation 6 |
| 2. | S.I. No. 131 of 2003 | European Communities (Protection of Employees on Transfer of Undertakings) Regulations 2003 | Regulations 12, 13 and 14 |
| 3. | S.I. No. 507 of 2006 | European Communities (Organisation of Working Time) (Mobile Staff in Civil Aviation) Regulations 2006 | Regulation 17 |
| 4. | S.I. No. 259 of 2007 | European Communities (European Cooperative Society) (Employee Involvement) Regulations 2007 | Paragraph 4 of Schedule 2 |
| 5. | S.I. No. 285 of 2007 | European Communities (Occurrence Reporting in Civil Aviation) Regulations 2007 | Paragraphs 3 and 4 of Schedule 4 |
| 6. | S.I. No. 157 of 2008 | European Communities (Cross Border Mergers) Regulations 2008 | Paragraph 4 of Schedule 2 |
| 7. | S.I. No. 377 of 2009 | European Communities (Working Conditions of Mobile Workers Engaged in Interoperable Cross Border Services in the Railway Sector) Regulations 2009 | Regulation 10 |
| 8. | S.I. No. 36 of 2012 | European Communities (Road Transport) | Regulations 20, 21 and 22 |

[SCHEDULE 2]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Repeal (4) |
|------------------|------------------------|--------------------------------------------------------------------------------------------------------|-------------------------|
| | | (Organisation of Working Time of Persons Performing Mobile Road Transport Activities) Regulations 2012 | |

—An tAire Post, Fiontar agus Nuálaíochta.

SCHEDULE 4

84. In page 70, to delete lines 10 to 12 and substitute the following:

“

| | | |
|----------------|---------------------------------------|-------------------------------------------------------------------------------------------------|
| No. 20 of 1997 | Organisation of Working Time Act 1997 | Sections 6(2), 11, 12, 13, 14(1), 15(1), 16(1), 17, 18, 19(1), 21, 22, 23(1) and (2), and 33(1) |
|----------------|---------------------------------------|-------------------------------------------------------------------------------------------------|

—An tAire Post, Fiontar agus Nuálaíochta.

SCHEDULE 5

85. In page 71, between lines 5 and 6, to insert the following:

“1. Section 4(2) or 5 of the Minimum Notice and Terms of Employment Act 1973”.

—An tAire Post, Fiontar agus Nuálaíochta.

86. In page 71, line 9, to delete “, 14, 15, 16”.

—An tAire Post, Fiontar agus Nuálaíochta.

87. In page 71, to delete lines 11 and 12 and substitute the following:

“5. Section 17 of the Transnational Information and Consultation of Employees Act 1996

6. A relevant provision within the meaning of section 27 of the Organisation of Working Time Act 1997”.

—An tAire Post, Fiontar agus Nuálaíochta.

88. In page 71, between lines 13 and 14, to insert the following:

“7. Section 77 of the Employment Equality Act 1998

8. Section 21 of the Equal Status Act 2000”.

—Peadar Tóibín.

89. In page 71, line 15, to delete “, 10, 12, 13, 14”.

—An tAire Post, Fiontar agus Nuálaíochta.

90. In page 71, to delete line 18.

—An tAire Post, Fiontar agus Nuálaíochta.

[SCHEDULE 5]

- 91.** In page 71, between lines 19 and 20, to insert the following:
“12. Section 8 of the Industrial Relations (Miscellaneous Provisions) Act 2004”.
—An tAire Post, Fiontar agus Nuálaíochta.
- 92.** In page 71, between lines 21 and 22, to insert the following:
“14. Section 26(3) of the Employment Permits Act 2006
15. Section 13 of the Employees (Provision of Information and Consultation) Act 2006”.
—An tAire Post, Fiontar agus Nuálaíochta.
- 93.** In page 71, between lines 23 and 24, to insert the following:
“16. Section 62(1) of the Charities Act 2009”.
—An tAire Post, Fiontar agus Nuálaíochta.
- 94.** In page 71, line 30, to delete “Section 35” and substitute “Section 35(1)”.
—An tAire Post, Fiontar agus Nuálaíochta.
- 95.** In page 71, after line 30, to insert the following:
“22. Section 41(1) of the Central Bank (Supervision and Enforcement) Act 2013
23. Section 12(1) of the Protected Disclosures Act 2014”.
—An tAire Post, Fiontar agus Nuálaíochta.
- 96.** In page 72, to delete line 7 and 8.
—An tAire Post, Fiontar agus Nuálaíochta.
- 97.** In page 72, between lines 14 and 15, to insert the following:
“7. European Communities (Occurrence Reporting in Civil Aviation) Regulation 2007”.
—An tAire Post, Fiontar agus Nuálaíochta.
- 98.** In page 72, between lines 20 and 21, to insert the following:
“9. An employment regulation order under section 42C (inserted by section 12 of the Industrial Relations (Amendment) Act 2012) of the Industrial Relations Act 1946.”.
—An tAire Post, Fiontar agus Nuálaíochta.
- 99.** In page 72, between lines 22 and 23, to insert the following:
“1. Section 4(2) or 5 of the Minimum Notice and Terms of Employment Act 1973”.
—An tAire Post, Fiontar agus Nuálaíochta.
- 100.** In page 72, after line 28, to insert the following:
“6. Protection of Employees (Fixed-Term Work) Act 2003”.
—An tAire Post, Fiontar agus Nuálaíochta.

[SCHEDULE 6]

SCHEDULE 6

101. In page 73, before line 1, to insert the following:

“SCHEDULE 6

Section 51

Part 1

AMENDMENT OF ACTS OF THE OIREACTHAS

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
|------------------|---------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | No. 26 of 1946 | Industrial Relations Act 1946 | <p>The following section is substituted for section 45A:</p> <p>“Decision of adjudication officer under section 41 of Workplace Relations Act 2014</p> <p>45A. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of an employment regulation order in relation to a worker shall do one or more of the following, namely—</p> <ul style="list-style-type: none">(a) declare that the complaint was or, as the case may be, was not well founded,(b) require the employer to comply with the employment regulation order, or(c) require the employer to pay to the worker compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances, but not exceeding 2 years’ remuneration in respect of the worker’s employment calculated in accordance with regulations under section 17 of the Unfair Dismissals Act 1977, <p>and the references in paragraphs (b) and (c) to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurred, as references to the</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
|------------------|---------------------------|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | <p>person who, by virtue of the change, becomes entitled to such ownership.”.</p> <p>The following section is substituted for section 45B:</p> <p>“Decision of Labour Court on appeal from decision referred to in section 45A</p> <p>45B. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in section 45A, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 2. | No. 4 of 1973 | Minimum Notice and Terms of Employment Act 1973 | <p>The following section is substituted for section 12:</p> <p>“Decision of adjudication officer under section 41 of Workplace Relations Act 2014</p> <p>12. (1) A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of section 4(2) or 5 may, where the adjudication officer finds that that section was contravened by the employer in relation to the employee who presented the complaint, include a direction that the employer concerned pay to the employee compensation for any loss sustained by the employee by reason of the contravention.</p> <p>(2) A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a dispute as to the entitlements of an employer under section 6 may include such directions as the adjudication officer considers appropriate.”.</p> <p>The following section is inserted:</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
|------------------|---------------------------|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | <p>“Decision of Labour Court on appeal from decision referred to in section 12</p> <p>12A. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in section 12, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 3. | No. 7 of 1977 | Protection of Employment Act 1977 | <p>The following sections are inserted in Part II:</p> <p>“Decision of adjudication officer under section 41 of Workplace Relations Act 2014</p> <p>11A. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of section 9 or 10 shall do one or more of the following, namely—</p> <ul style="list-style-type: none"> (a) declare that the complaint is or, as the case may be, is not well founded, (b) require the employer to comply with the provision of the Act of 1977 concerned and, for that purpose, to take a specified course of action, (c) require the employer to pay to the employee compensation of such amount (if any) as is just and equitable having regard to all of the circumstances, but not exceeding 4 weeks remuneration in respect of the employee’s employment calculated in accordance with regulations under section 17 of the Unfair Dismissals Act 1977 (No. 10 of 1977), <p>and the references in this paragraph to an employer shall be construed, in a case where ownership of the business or part of the business of the employer changes after</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
|------------------|---------------------------|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | <p>the contravention to which the complaint relates occurred, as references to the person who, by virtue of the change, becomes entitled to such ownership.</p> <p>Decision of Labour Court on appeal from decision referred to in section 11A 11B. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in section 11A, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 4. | No. 25 of 1991 | Payment of Wages Act 1991 | <p>The following section is substituted for section 6:</p> <p>“Decision of adjudication officer under section 41 of Workplace Relations Act 2014 6. (1) A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i>, in relation to a complaint of a contravention of section 5 as respects a deduction made by an employer from the wages of an employee or the receipt from an employee by an employer of a payment, that the complaint is, in whole or in part, well founded as respects the deduction or payment shall include a direction to the employer to pay to the employee compensation of such amount (if any) as he considers reasonable in the circumstances not exceeding—</p> <p>(a) the net amount of the wages (after the making of any lawful deduction therefrom) that—</p> <p>(i) in case the complaint related to a deduction, would have been paid to the employee in respect of the week immediately preceding the</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
|------------------|---------------------------|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | <p>date of the deduction if the deduction had not been made, or</p> <p>(ii) in case the complaint related to a payment, were paid to the employee in respect of the week immediately preceding the date of payment,</p> <p>or</p> <p>(b) if the amount of the deduction or payment is greater than the amount referred to in paragraph (a), twice the former amount.</p> <p>(2) (a) An adjudication officer shall not give a decision referred to in subsection (1) in relation to a deduction or payment referred to in that subsection at any time after the commencement of the hearing of proceedings in a court brought by the employee concerned in respect of the deduction or payment.</p> <p>(b) An employee shall not be entitled to recover any amount in proceedings in a court in respect of such a deduction or payment as aforesaid at any time after an adjudication officer has given a decision referred to in subsection (1) in relation to the deduction or payment.”.</p> <p>The following section is substituted for section 7:</p> <p>“Decision of Labour Court on appeal from decision referred to in section 6</p> <p>7. A decision of the Labour Court under <i>section 44 of the Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in section 6, shall affirm, vary or set aside the</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
|------------------|---------------------------|-----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | decision of the adjudication officer.”. |
| 5. | No. 5 of 1994 | Terms of Employment (Information) Act 1994 | <p>The following section is substituted for section 7:</p> <p>“Complaint to adjudication officer under section 41 of Workplace Relations Act 2014</p> <p>7. (1) An employee shall not be entitled to present a complaint under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in respect of a contravention of section 3, 4, 5 or 6, if the employer concerned has—</p> <p>(a) complied with a direction under section 6A in relation to the contravention, or</p> <p>(b) been given a direction under that section in relation to the contravention and the period specified in the direction within which he or she is required to comply with the direction has not yet expired.</p> <p>(2) A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of section 3, 4, 5 or 6 shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or, as the case may be, was not well founded,</p> <p>(b) either—</p> <p>(i) confirm all or any of the particulars contained or referred to in any statement furnished by the employer under section 3, 4, 5 or 6, or</p> <p>(ii) alter or add to any such statement for the purpose of correcting any inaccuracy or omission in the statement and the statement as so altered or added to shall be deemed to</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>have been given to the employee by the employer,</p> <p>(c) require the employer to give or cause to be given to the employee concerned a written statement containing such particulars as may be specified by the adjudication officer,</p> <p>(d) order the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances, but not exceeding 4 weeks remuneration in respect of the employee's employment calculated in accordance with regulations under section 17 of the Unfair Dismissals Act 1977,</p> <p>and the references in the foregoing paragraphs to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”.</p> <p>The following section is substituted for section 8:</p> <p>“Decision of Labour Court on appeal from decision referred to in section 7</p> <p>8. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in section 7, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 6. | No. 34 of 1994 | Maternity Protection Act 1994 | <p>The following subsection is substituted for subsection (1) of section 30:</p> <p>“(1) This Part does not apply to a dispute</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>relating to—</p> <p>(a) the dismissal of an employee, or</p> <p>(b) a matter that is within the competence of the Authority under the 1989 Act.”.</p> <p>The following section is substituted for section 32:</p> <p>“Decision under section 41 or 44 of Workplace Relations Act 2014</p> <p>32. (1) A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a dispute between an employee and the relevant employer relating to any entitlement of the employee under Part II, III or IV (or any matter arising out of or related to such entitlement) may include such directions to the parties to the dispute as the adjudication officer considers necessary or expedient for the resolution of the dispute, and if the decision is in favour of the employee then, without prejudice to the power to give such directions, the adjudication officer may order—</p> <p>(a) the grant of leave to the employee for such period as may be so specified,</p> <p>(b) an award of compensation (in favour of the employee to be paid by the relevant employer) of such amount, not exceeding 20 weeks’ remuneration in respect of the employee’s employment calculated in such manner as may be prescribed, as the adjudication officer considers just and equitable having regard to all of the circumstances, or</p> <p>(c) both such grant and such award.</p> <p>(2) A decision of the Labour Court under</p> |

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| | | | <p><i>section 44 of the Workplace Relations Act 2014</i> on appeal from a decision referred to in subsection (1) may include such directions to the parties to the appeal as the Labour Court considers necessary or expedient for the resolution of the matter, and if the decision is in favour of the employee then, without prejudice to the power to give such directions, the Labour Court may order—</p> <ul style="list-style-type: none"> (a) the grant of leave for such period as may be so specified, (b) an award of compensation (in favour of the employee to be paid by the relevant employer) of such amount, not exceeding 20 weeks' remuneration in respect of the employee's employment calculated in such manner as may be prescribed, as the Labour Court considers just and equitable having regard to all of the circumstances, or (c) both such grant and such award. <p>(3) In this section 'remuneration' includes allowances in the nature of pay and benefits in lieu of or in addition to pay.”.</p> <p>Section 33A(1) is amended, in the definition of “proceedings” by—</p> <ul style="list-style-type: none"> (a) the substitution, in paragraph (a), of “<i>Part 4 of the Workplace Relations Act 2014</i>” for “this Part”, (b) the deletion, in paragraph (b), of “or the Circuit Court”, (c) the substitution of “adjudication officer” for “rights commissioner” in each place that it occurs, and (d) the substitution of “Labour Court” for “Tribunal” in each place that it occurs. |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| 7. | No. 2 of 1995 | Adoptive Leave Act 1995 | <p>The following subsection is substituted for subsection (2) of section 32:</p> <p>“(2) This Part does not apply to—</p> <ul style="list-style-type: none"> (a) a dispute in relation to a dismissal, including a dismissal within the meaning of the Act of 1977, or the termination of a contract of employment, (b) a claim under Part IV of the Act of 1967 as extended by section 29, or (c) a dispute under section 11 of the Minimum Notice and Terms of Employment Act 1973 as extended by section 30.”. <p>The following section is substituted for section 33:</p> <p>“Decision under section 41 or 44 of Workplace Relations Act 2014</p> <p>33. (1) A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a dispute between an adopting parent and the relevant employer relating to the adopting parent’s entitlements under this Act or any matter in connection with such entitlements may include—</p> <ul style="list-style-type: none"> (a) such directions to the parties to the complaint as the adjudication officer considers necessary or expedient for the resolution of the matter, and (b) an award of compensation (in favour of the adopting parent to be paid by the employer) of such amount, not exceeding 20 weeks’ remuneration in respect of the adopting parent’s employment calculated in accordance with regulations under section 32, as the adjudication officer considers just and equitable having regard to |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>all of the circumstances.</p> <p>(2) A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i> on appeal from a decision of an adjudication officer referred to in subsection (1) may include—</p> <p>(a) such directions to the parties to the complaint as the Labour Court considers necessary or expedient for the resolution of the matter, and</p> <p>(b) an award of compensation (in favour of the adopting parent to be paid by the employer) of such amount, not exceeding 20 weeks' remuneration in respect of the adopting parent's employment calculated in accordance with regulations under section 32, as the Labour Court considers just and equitable having regard to all of the circumstances.</p> <p>(3) In this section 'remuneration' includes allowances in the nature of pay and benefits in lieu of or in addition to pay."</p> |
| 8. | No. 16 of 1996 | Protection of Young Persons (Employment) Act 1996 | <p>The following section is substituted for section 18:</p> <p>“Decision of adjudication officer under section 41 of Workplace Relations Act 2014</p> <p>18. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of section 13 or 17 shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or, as the case may be, was not well founded,</p> <p>(b) order the employer to take a specified course of action,</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>(c) order the employer to pay to the employee compensation of such amount (if any) as is just and equitable having regard to all the circumstances,</p> <p>and the references in the foregoing paragraphs to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”.</p> <p>The following section is substituted for section 19:</p> <p>“Decision of Labour Court on appeal from decision referred to in section 18</p> <p>19. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in section 18, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 9. | No. 20 of 1996 | Transnational Information and Consultation of Employees Act 1996 | <p>The following section is inserted:</p> <p>“Decision of adjudication officer under section 41 of Workplace Relations Act 2014</p> <p>17A. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of section 17 shall do one or more of the following, namely—</p> <ul style="list-style-type: none"> (a) declare that the complaint was or, as the case may be, was not well founded, (b) order the employer to take a specified course of action, (c) order the employer to pay to the employee compensation of such |

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| | | | <p>amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances,</p> <p>and the references in the foregoing paragraphs to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”.</p> <p>The following section is inserted:</p> <p>“Decision of Labour Court on appeal from decision referred to in section 17A</p> <p>17B. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in section 17A, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 10. | No. 20 of 1997 | Organisation of Working Time Act 1997 | <p>Section 27 is amended by the substitution of the following subsection for subsection (3):</p> <p>“(3) A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of a relevant provision shall do one or more of the following, namely—</p> <ul style="list-style-type: none"> (a) declare that the complaint was or, as the case may be, was not well founded, (b) require the employer to comply with the relevant provision, (c) require the employer to pay to the employee compensation of such amount (if any) as is just and equitable having regard to all the circumstances, but not exceeding 2 years’ remuneration in respect of the employee’s employment, |

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| | | | <p>and the references in the foregoing paragraphs to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”.</p> <p>The following section is substituted for section 28:</p> <p>“Decision of Labour Court on appeal from decision referred to in section 27(3)</p> <p>28. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i> on appeal from a decision of an adjudication officer referred to in subsection (3) of section 27 shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 11. | No. 30 of 1998 | Parental Leave Act 1998 | <p>Section 18 is amended by the substitution of the following subsection for subsection (2):</p> <p>“(2) This Part does not apply to a dispute—</p> <ul style="list-style-type: none"> (a) relating to a dismissal from employment, including a dismissal within the meaning of the Unfair Dismissals Acts 1977 to 2007, (b) consisting of a question to which section 39(15) of the Redundancy Payments Act 1967, applies, or (c) a dispute to which section 11 of the Minimum Notice and Terms of Employment Act 1973 applies.”. <p>The following section is substituted for section 21:</p> <p>“Decision under section 41 or 44 of Workplace Relations Act 2014</p> <p>21. (1) A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace</i></p> |

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| | | | <p><i>Relations Act 2014</i> in relation to a complaint of a contravention of this Act or a decision of the Labour Court under <i>section 44</i> of the said <i>Workplace Relations Act 2014</i> on appeal from the first-mentioned decision, may contain such directions to the parties concerned as the adjudication officer or the Labour Court, as the case may be, considers necessary or expedient for the resolution of the matter and such other redress as the adjudication officer or the Labour Court, as the case may be, considers appropriate having regard to all of the circumstances and the provisions of this Act, and accordingly may specify—</p> <ul style="list-style-type: none"> (a) the grant to the employee of parental leave of such length to be taken at such time or times and in such manner as may be so specified, (b) an award of compensation in favour of the employee concerned to be paid by the employer concerned, or (c) both a grant referred to in paragraph (a) and an award referred to in paragraph (b). <p>(2) An award of compensation referred to in subsection (1)(b) shall be of such amount as the adjudication officer or the Labour Court, as the case may be, considers just and equitable having regard to all the circumstances but shall not exceed 20 weeks' remuneration in respect of the employee's employment calculated in such manner as may be prescribed.</p> <p>(3) A decision of an adjudication officer or the Labour Court referred to in subsection (1) may, if the adjudication officer or the Labour Court, as the case may be, considers it reasonable having</p> |

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| | | | <p>regard to the illness or other incapacity of the employee concerned or any other circumstance, include a direction that parental leave be taken at a time that does not accord with section 6(3).</p> <p>(4) Without prejudice to the generality of subsections (1) and (2), a decision of an adjudication officer under <i>section 41 of the Workplace Relations Act 2014</i> in relation to a complaint of a contravention of this Act may contain a direction that the commencement of parental leave be postponed for a specified period (whether or not being the period specified in the relevant notice under section 11(1)), provided that the adjudication officer—</p> <p>(a) is satisfied that the taking of such leave at the time specified in the notice under section 8(1) concerned would have a substantially adverse effect by reason of any of the matters specified in section 11(1), and</p> <p>(b) considers that it is reasonable to give such a direction in the circumstances.</p> <p>(5) Without prejudice to the generality of subsections (1) and (2), a decision of the Labour Court under <i>section 44 of the Workplace Relations Act 2014</i> on appeal from a decision of an adjudication officer referred to in subsection (1) may contain a direction that the commencement of parental leave be postponed for a specified period (whether or not being the period specified in the relevant notice under section 11(1)), provided that the Labour Court—</p> <p>(a) is satisfied that the taking of such leave at the time specified in the notice under section 8(1) concerned would have a</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>substantially adverse effect by reason of any of the matters specified in section 11(1), and</p> <p>(b) considers that it is reasonable to give such a direction in the circumstances.</p> <p>(6) Without prejudice to the generality of subsections (1) and (2), a decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of this Act may contain a direction that—</p> <p>(a) the period of parental leave concerned be curtailed or that its form be varied or its commencement postponed for a specified period, or</p> <p>(b) parental leave taken by reason of being so curtailed be taken at a specified time,</p> <p>provided that the adjudication officer considers that the giving of such direction is reasonable due to there being a serious and substantial change in circumstances affecting the employer or the employee.</p> <p>(7) Without prejudice to the generality of subsections (1) and (2), a decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i> on appeal from a decision of an adjudication officer referred to in subsection (1) may contain a direction that—</p> <p>(a) the period of parental leave concerned be curtailed or that its form be varied or its commencement postponed for a specified period, or</p> <p>(b) parental leave not taken by reason of being so curtailed be taken at a specified time,</p> <p>provided that the Labour Court</p> |

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| | | | <p>considers that the giving of such direction is reasonable due to there being a serious and substantial change in circumstances affecting the employer or the employee.</p> <p>(8) Where appropriate, the confirmation document concerned shall be amended by the parties concerned so as to accord with a decision under this section.</p> <p>(9) In this section ‘remuneration’ includes allowances in the nature of pay and benefits in lieu of or in addition to pay.”.</p> <p>Section 24 is amended—</p> <p>(a) in subsection (1), by the substitution of “by virtue of a decision to which section 21 applies” for “under this Act”, and</p> <p>(b) in subsection (2), by the substitution of “by virtue of a decision to which section 21 applies” for “under this Act”.</p> |
| 12. | No. 49 of 1998 | Protections for Persons Reporting Child Abuse Act 1998 | <p>Section 4 is amended by—</p> <p>(a) the substitution, in subsection (2), of “under <i>Part 4</i> of the <i>Workplace Relations Act 2014</i> before an adjudication officer or the Labour Court” for “under this section before a rights commissioner or the Employment Appeals Tribunal”,</p> <p>(b) the substitution, in subsection (3), of “under <i>Part 4</i> of the <i>Workplace Relations Act 2014</i>” for “under this section”,</p> <p>(c) the substitution of the following subsection for subsection (5):</p> <p>“(5) A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>complaint of a contravention of subsection (1) shall do one or more of the following, namely—</p> <ul style="list-style-type: none"> (a) declare that the complaint was or, as the case may be, was not well founded, (b) require the employer to comply with subsection (1), and, for that purpose, require the employer to take a specified course of action, (c) require the employer to pay to the employee compensation of such amount (if any) as is just and equitable having regard to all the circumstances, but not exceeding 104 weeks' remuneration in respect of the employee's employment calculated in accordance with regulations under section 17 of the Unfair Dismissals Act 1977, <p>and the references in the foregoing paragraphs to an employer shall be construed, in a case where ownership of the business of the employer changes after</p> |

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| | | | <p>the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”,</p> <p>and</p> <p>(d) the substitution of the following subsection for subsection (6):</p> <p>“(6) A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in subsection (5), shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 13. | No. 5 of 2000 | National Minimum Wage Act 2000 | <p>Section 24 is amended by—</p> <p>(a) the substitution of the following subsection for subsection (1):</p> <p>“(1) For the purposes of this section, a dispute between an employee and his or her employer as to the employee’s entitlements under this Act exists where the employee and his or her employer cannot agree on the appropriate entitlement of the employee to pay in accordance with this Act resulting in an alleged underpayment to the employee.”,</p> <p>(b) the deletion of subsections (3), (5) and (7),</p> |

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| | | | <p>(c) the substitution, in subsection (2), of “The Director General of the Workplace Relations Commission shall not entertain a dispute in relation to an employee’s entitlements under this Act and, accordingly, shall not refer the dispute to an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i>” for “A dispute cannot be referred to or dealt with by a rights commissioner”, and</p> <p>(d) the substitution, in subsection (4), of—</p> <p style="padding-left: 20px;">(i) “an adjudication officer” for “a rights commissioner”, and</p> <p style="padding-left: 20px;">(ii) “the adjudication officer” for “the rights commissioner”.</p> <p>Section 25 is amended by—</p> <p>(a) the deletion, in subsection (1), of “, and sections 24 to 32 (except section 24(2)), with the necessary modifications, shall apply accordingly”,</p> <p>(b) the deletion of subsection (2), and</p> <p>(c) the substitution of the following subsection for subsection (3):</p> <p style="padding-left: 20px;">“(3) In proceedings under <i>Part 4</i> of the <i>Workplace Relations Act 2014</i> in respect of a matter that, by virtue of subsection (1), is a dispute for the purposes of section 24, it shall be presumed unless the contrary is proved on the balance of probabilities that any reduction in hours of work was for the purpose of avoiding the alleged increased liability referred to in</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>subsection (1).”.</p> <p>The following section is substituted for section 26:</p> <p>“Decision of adjudication officer under section 41 of Workplace Relations Act 2014</p> <p>26. (1) A decision of an adjudication officer in relation to a dispute in respect of the entitlements of an employee under this Act referred to the adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> may contain—</p> <p>(a) a direction to the employer to pay to the employee—</p> <p>(i) an award of arrears, being the difference between any amount paid or allowed by the employer to the employee for pay and the minimum amount the employee was entitled to be paid or allowed in accordance with this Act in respect of the period to which the dispute relates, and</p> <p>(ii) reasonable expenses of the employee in connection with the dispute,</p> <p>(b) a requirement that the employer rectify, within a specified time (not being later than 42 days after the date the decision is communicated to the employer) or in a specified manner, any matter, including the payment of any amount, in respect of which the employer is in contravention of this Act, or</p> <p>(c) both such direction and such requirement, as the adjudication officer considers appropriate.</p> <p>(2) An adjudication officer shall maintain a register of all decisions made by him</p> |

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| | | | <p>or her under this section and shall make the register available for inspection by members of the public during normal office hours.”.</p> <p>The following section is substituted for section 29:</p> <p>“Decision of Labour Court on appeal from decision referred to in section 26</p> <p>29. (1) A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i> on appeal from a decision of an adjudication officer referred to in section 26 shall either—</p> <p>(a) affirm the decision of the adjudication officer, or</p> <p>(b) contain—</p> <p>(i) a direction to the employer to pay to the employee—</p> <p>(I) an award of arrears, being the difference between any amount paid or allowed by the employer to the employee for pay and the minimum amount the employee was entitled to be paid or allowed in accordance with this Act in respect of the period to which the dispute relates, and</p> <p>(II) reasonable expenses of the employee in connection with the dispute,</p> <p>(ii) a requirement that the employer rectify, within a specified time (not being later than 42 days after the date the decision is communicated to the employer) or in a specified manner, any matter,</p> |

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| | | | <p>including the payment of any amount, in respect of which the employer is in contravention of this Act, or (iii) both such direction and such requirement, as the Labour Court considers appropriate.”.</p> |
| 14. | No. 19 of 2001 | Carer’s Leave Act 2001 | <p>Section 17 is amended—</p> <p>(a) in subsection (1), by the deletion of the words “applies to any dispute between an employee and the employer relating to any entitlement of the employee under this Act (or any matter arising out of or related to such an entitlement) but”, and</p> <p>(b) in subsection (2), by the substitution of “an adjudication officer within the meaning of the <i>Workplace Relations Act 2014</i> or the Labour Court, as may be appropriate,” for “the rights commissioner”.</p> <p>The following section is substituted for section 21:</p> <p>“Decision under section 41 or 44 of <i>Workplace Relations Act 2014</i></p> <p>21. (1) A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a dispute to which this Part applies between an employee and an employer concerning the employee’s entitlements under this Act may include—</p> <p>(a) a grant of carer’s leave to the employee of such length to be taken at such time or times and in such manner as the adjudication officer may specify,</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>(b) an award of compensation (in favour of the employee concerned to be paid by the employer concerned) of such amount, not exceeding 26 weeks' remuneration in respect of the employee's employment calculated in such manner as may be prescribed, as the adjudication officer considers just and equitable having regard to all of the circumstances, or</p> <p>(c) both such grant and such award.</p> <p>(2) A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i> on appeal from a decision of an adjudication officer referred to in subsection (1) may include—</p> <p>(a) a grant of carer's leave to the employee of such length to be taken at such time or times and in such manner as the Labour Court may specify,</p> <p>(b) an award of compensation (in favour of the employee concerned to be paid by the employer concerned) of such amount, not exceeding 26 weeks' remuneration in respect of the employee's employment calculated in such manner as may be prescribed, as the Labour Court considers just and equitable having regard to all of the circumstances, or</p> <p>(c) both such grant and such award.</p> <p>(3) Where appropriate, the confirmation document concerned shall be amended by the parties concerned so as to accord with a decision referred to in subsection (1) or (2).</p> <p>(4) In this section 'remuneration' includes allowances in the nature of pay and benefits in lieu of or in addition to pay."</p> |

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| 15. | No. 27 of 2001 | Prevention of Corruption (Amendment) Act 2001 | <p>Schedule 1 is amended—</p> <p>(a) in paragraph 1, by—</p> <p>(i) the substitution of the following subparagraph for subparagraph (1): “(1) In proceedings under <i>Part 4 of the Workplace Relations Act 2014</i> in respect of a complaint of a contravention of section 8A(5), it shall not be necessary for the employee to show that he has at least one year’s continuous service with the employer concerned.”,</p> <p>(ii) the substitution of the following subparagraph for subparagraph (3): “(3) A decision of an adjudication officer under <i>section 41 of the Workplace Relations Act 2014</i> in relation to a complaint of a contravention of section 8A(5) shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or, as the case may be, was not well founded,</p> <p>(b) require the employer to take a specified course of action, which may include, in a case where the penalisation constitutes a dismissal within the meaning of section</p> |

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| | | | <p>8A(13), reinstatement or reengagement, or (c) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances, but not exceeding 104 weeks' remuneration in respect of the employee's employment calculated in accordance with regulations under section 17 of the Unfair Dismissals Act 1977, and the references in clauses (b) and (c) to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”,</p> <p>(b) in paragraph 2, by— (i) the substitution of the following subparagraph for subparagraph (1):</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>“(1) A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in paragraph 1(3), shall affirm, vary or set aside the decision of the adjudication officer.”,</p> <p>(ii) the substitution of the following subparagraph for subparagraph (7):</p> <p>“(7) In proceedings under <i>Part 4</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint that <i>section 8A(5)</i> has been contravened, it shall be presumed, until the contrary is proved, that the employee concerned acted reasonably and in good faith in forming the opinion and making the communication concerned.”,</p> <p>(iii) the substitution, in clause (a) of subparagraph (8), of “a complaint in respect of the contravention shall not be referable to an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> or a mediation officer under <i>section 39</i> of that Act” for “such dismissal may not be presented to a rights commissioner under paragraph 1(1)”, and</p> <p>(iv) the substitution, in clause (b)</p> |

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| | | | of subparagraph (8), of “a complaint to the Director General of the Workplace Relations Commission under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in respect of a contravention” for “a complaint to a rights commissioner under paragraph 1(1) in respect of a dismissal”. |
| 16. | No. 45 of 2001 | Protection of Employees (Part-Time Work) Act 2001 | <p>Section 15 is amended, in subsection (3), by the substitution of “under <i>Part 4</i> of the <i>Workplace Relations Act 2014</i>” for “under this Part”.</p> <p>The following section is substituted for section 16:</p> <p>“Decision of adjudication officer under section 41 of the <i>Workplace Relations Act 2014</i> 16. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of section 9 or 15 shall do one or more of the following, namely—</p> <ul style="list-style-type: none"> (a) declare that the complaint was or, as the case may be, was not well founded, (b) require the employer to comply with the relevant provision, (c) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances, but not exceeding 2 years’ remuneration in respect of the employee’s employment, <p>and the references in the foregoing paragraphs to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint</p> |

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| | | | <p>relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”.</p> <p>The following section is substituted for section 17:</p> <p>“Decision of Labour Court on appeal from a decision referred to in section 16</p> <p>17. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in section 16, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 17. | No. 14 of 2002 | Competition Act 2002 | <p>Schedule 3 is amended—</p> <ul style="list-style-type: none"> (a) in paragraph 2, by the substitution of “<i>Part 4</i> of the <i>Workplace Relations Act 2014</i>” for “this Schedule before a rights commissioner or the Employment Appeals Tribunal”, (b) in paragraph 3, by the substitution of “<i>Part 4</i> of the <i>Workplace Relations Act 2014</i>” for “this Schedule”, (c) by the substitution of the following paragraph for paragraph 5: <ul style="list-style-type: none"> “5. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of section 50(3) shall do one or more of the following, namely— <ul style="list-style-type: none"> (a) declare that the complaint was or, as the case may be, was not well founded, (b) require the employer |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>to comply with section 50(3) and, for that purpose, require the employer to take a specified course of action,</p> <p>(c) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances, but not exceeding 104 weeks' remuneration in respect of the employee's employment calculated in accordance with regulations under section 17 of the Unfair Dismissals Act 1977,</p> <p>and the references in the foregoing subparagraphs to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”</p> <p>(d) the insertion of the following paragraph: “6A. A decision of the Labour</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i> , on appeal from a decision of an adjudication officer referred to in paragraph 5, shall affirm, vary or set aside the decision of the adjudication officer.”. |
| 18. | No. 29 of 2003 | Protection of Employees (Fixed-Term Work) Act 2003 | <p>The following section is substituted for section 14:</p> <p>“Decision of adjudication officer under section 41 of Workplace Relations Act 2014</p> <p>14. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of this Act shall do one or more of the following, namely—</p> <ul style="list-style-type: none"> (a) declare whether the complaint was or was not well founded, (b) require the employer to comply with the relevant provision, (c) require the employer to reinstate or reengage the employee (including on a contract of indefinite duration), or (d) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances, but not exceeding 2 years’ remuneration in respect of the employee’s employment, <p>and references in paragraphs (b), (c) and (d) to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”.</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>The following section is substituted for section 15:</p> <p>“Decision of Labour Court on appeal from decision referred to in section 14</p> <p>15. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in section 14, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 19. | No. 4 of 2004 | Industrial Relations (Miscellaneous Provisions) Act 2004 | <p>The following subsection is substituted for subsection (5) of section 9:</p> <p>“(5) A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of section 8 shall do one or more of the following, namely—</p> <ul style="list-style-type: none"> (a) declare that the complaint is or, as the case may be, is not well founded, (b) direct that the conduct the subject of the complaint cease, or (c) require the respondent to pay to the complainant compensation of such amount (if any) as the adjudication officer considers just and equitable in the circumstances, but not exceeding 2 years remuneration in respect of the employee’s employment.”. <p>The following section is substituted for section 10:</p> <p>“Decision of Labour Court on appeal from decision referred to in section 9</p> <p>10. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | adjudication officer referred to in subsection (5) of section 9, shall affirm, vary or set aside the decision of the adjudication officer.”. |
| 20. | No. 42 of 2004 | Health Act 2004 | <p>Section 55M is amended—</p> <ul style="list-style-type: none"> (a) in subsection (2), by the substitution of “adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i>” for “rights commissioner”, (b) in subsection (3), by the substitution of “under <i>Part 4</i> of the <i>Workplace Relations Act 2014</i>” for “before a rights commissioner or the Labour Court”, (c) in subsection (4), by the substitution of “<i>Part 4</i> of the <i>Workplace Relations Act 2014</i>” for “this section”, (d) the substitution of the following subsection for subsection (6): <ul style="list-style-type: none"> “(6) A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of subsection (1) shall do one or more of the following, namely— <ul style="list-style-type: none"> (a) declare that the complaint was or, as the case may be, was not well founded, (b) require the employer to comply with subsection (1) and to take a specified course of action, or (c) order the employer to pay to the employee compensation of |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances.”,</p> <p>and</p> <p>(e) the substitution of the following subsection for subsection (11):</p> <p>“(11) A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in subsection (6), shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 21. | No. 10 of 2005 | Safety, Health and Welfare at Work Act 2005 | <p>The following section is substituted for section 28:</p> <p>“Decision of adjudication officer under section 41 of Workplace Relations Act 2014</p> <p>28. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of section 27 shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or, as the case may be, was not well founded,</p> <p>(b) require the employer to take a specified course of action, or</p> <p>(c) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances.”.</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>The following section is substituted for section 29:</p> <p>“Decision of Labour Court on appeal from decision referred to in section 28</p> <p>29. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in section 28, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 22. | No. 9 of 2006 | Employees (Provision of Information and Consultation) Act 2006 | <p>Schedule 3 is amended by—</p> <p>(a) the substitution of the following paragraph for paragraph 1:</p> <p>“Decision of adjudication officer under section 41 of Workplace Relations Act 2014</p> <p>1. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of section 13 shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or, as the case may be, was not well founded,</p> <p>(b) require the employer to take a specified course of action, or</p> <p>(c) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>but not exceeding 2 years' remuneration in respect of the employee's employment, and the references in the foregoing clauses to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”,</p> <p>and</p> <p>(b) the substitution of the following paragraph for paragraph 2:</p> <p>“Decision of Labour Court on appeal from decision referred to in paragraph 1</p> <p>2. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i> on appeal from a decision of an adjudication officer referred to in paragraph 1 shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 23. | No. 16 of 2006 | Employment Permits Act 2006 | <p>Schedule 2 is amended—</p> <p>(a) by the substitution of the following paragraph for paragraph 1:</p> <p>“1. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act</i></p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p><i>2014</i> in relation to a complaint of a contravention of section 26(3) shall do one or more of the following, namely—</p> <ul style="list-style-type: none"> (a) declare that the complaint was or, as the case may be, was not well founded, (b) require the employer to take a specified course of action, or (c) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances, <p>and the references in the foregoing clauses to an employer shall, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, be construed as references to the person who, by virtue of the change, becomes entitled to such ownership.”,</p> <p>and</p> <p>(b) by the substitution of the following paragraph for paragraph 2:</p> <p>“2. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i> on appeal from a decision of an adjudication</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | officer referred to in paragraph 1 shall affirm, vary or set aside the decision of the adjudication officer.”. |
| 24. | No. 19 of 2007 | Consumer Protection Act 2007 | <p>Schedule 6 is amended—</p> <p>(a) by the substitution of the following paragraph for paragraph 2:</p> <p>“2. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of section 87(3) shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or, as the case may be, was not well founded,</p> <p>(b) require the employer to comply with section 87(3) and, for that purpose, require the employer to take a specified course of action, or</p> <p>(c) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances, but not exceeding 104 weeks’ remuneration in respect of the employee’s</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>employment calculated in accordance with regulations under section 17 of the Unfair Dismissals Act 1977,</p> <p>and the references in the foregoing clauses to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”,</p> <p>(b) by the insertion of the following paragraph:</p> <p>“3A. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i> on appeal from a decision of an adjudication officer referred to in paragraph 2 shall affirm, vary or set aside the decision of the adjudication officer.”,</p> <p>and</p> <p>(c) in paragraph 4—</p> <p>(i) by the substitution, in subparagraph (1), of “<i>Part 4</i> of the <i>Workplace Relations Act 2014</i>” for “this Schedule before a rights commissioner or the Employment Appeals Tribunal”, and</p> <p>(ii) by the substitution, in subparagraph (2), of “<i>Part 4</i> of the <i>Workplace Relations</i></p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <i>Act 2014</i> for “this Schedule”. |
| 25. | No. 13 of 2008 | Chemicals Act 2008 | <p>Section 26 is amended—</p> <ul style="list-style-type: none"> (a) in subsection (2), by the substitution of “under <i>Part 4</i> of the <i>Workplace Relations Act 2014</i>” for “under this section before a rights commissioner or the Employment Appeals Tribunal”, (b) in subsection (3), by the substitution of “<i>Part 4</i> of the <i>Workplace Relations Act 2014</i>” for “this section”, (c) by the substitution of the following subsection for subsection (5): <ul style="list-style-type: none"> “(5) A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of subsection (1) shall do one or more of the following, namely— <ul style="list-style-type: none"> (a) declare that the complaint was or, as the case may be, was not well founded, (b) require the employer to comply with subsection (1) and, for that purpose, require the employer to take a specified course of action, or (c) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>having regard to all the circumstances, but not exceeding 104 weeks' remuneration in respect of the employee's employment calculated in accordance with regulations under section 17 of the Unfair Dismissals Act 1977.”,</p> <p>and</p> <p>(d) by the insertion of the following subsection:</p> <p>“(6A) A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in subsection (5) of section 26, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 26. | No. 6 of 2009 | Charities Act 2009 | <p>Section 62 is amended—</p> <p>(a) in subsection (2), by the substitution of “<i>Part 4</i> of the <i>Workplace Relations Act 2014</i>” for “this section before a rights commissioner or the Employment Appeals Tribunal”,</p> <p>(b) in subsection (3), by the substitution of “<i>Part 4</i> of the <i>Workplace Relations Act 2014</i>” for “this section”,</p> <p>(c) by the substitution of the following subsection for subsection (5):</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>“(5) A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of subsection (1) shall do one or more of the following, namely—</p> <ul style="list-style-type: none"> (a) declare that the complaint was or, as the case may be, was not well founded, (b) require the employer to comply with subsection (1) and, for that purpose, require the employer to take a specified course of action, or (c) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances, but not exceeding 104 weeks’ remuneration in respect of the employee’s employment calculated in accordance with regulations under section 17 of the <i>Unfair Dismissals Act 1977</i>.”, <p style="text-align: right;">and</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>(d) by the insertion of the following subsection: “(8A) A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in subsection (5), shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 27. | No. 34 of 2009 | National Asset Management Agency Act 2009 | <p>Schedule 2 is amended by—</p> <p>(a) the substitution of the following paragraph for paragraph 1:</p> <p>“Decision under <i>section 41</i> of <i>Workplace Relations Act 2014</i>”</p> <p>1. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of <i>section 223(3)</i> shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or, as the case may be, was not well founded,</p> <p>(b) require the employer to take a specified course of action, or</p> <p>(c) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>having regard to all the circumstances.”,</p> <p>and</p> <p>(b) the substitution of the following paragraph for paragraph 2:</p> <p>“Decision of Labour Court on appeal from decision referred to in paragraph 1</p> <p>2. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in paragraph 1, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 28. | No. 10 of 2010 | Inland Fisheries Act 2010 | <p>Schedule 4 is amended by—</p> <p>(a) the substitution of the following paragraph for paragraph 1:</p> <p>“Decision under <i>section 41</i> of <i>Workplace Relations Act 2014</i></p> <p>1. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention by IFI of <i>section 38(1)</i> shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or, as the case may be, was not well founded,</p> <p>(b) require IFI to take a specified course of action, or</p> <p>(c) require IFI to pay the employee compensation of</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances but not exceeding 2 years' remuneration in respect of the employee's employment.”,</p> <p>and</p> <p>(b) the substitution of the following paragraph for paragraph 2:</p> <p>“Decision of Labour Court on appeal from decision referred to in paragraph 1</p> <p>2. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in paragraph 1, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 29. | No. 22 of 2011 | Criminal Justice Act 2011 | <p>Schedule 2 is amended by—</p> <p>(a) the substitution of the following paragraph for paragraph 1:</p> <p>“Decision under <i>section 41</i> of <i>Workplace Relations Act 2014</i></p> <p>1. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of <i>section 20(1)</i> shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or, as</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>the case may be, was not well founded,</p> <p>(b) require the employer to take a specified course of action, which may include, in a case where the penalisation constitutes a dismissal, reinstatement or reengagement, or</p> <p>(c) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances, but not exceeding 2 years' remuneration in respect of the employee's employment calculated in accordance with regulations under section 17 of the Unfair Dismissals Act 1977,</p> <p>and the references in clauses (b) and (c) to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, as references to the person</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>who, by virtue of the change, becomes entitled to such ownership.”,</p> <p>and</p> <p>(b) the substitution of the following paragraph for paragraph 2:</p> <p>“Decision of Labour Court on appeal from decision referred to in paragraph 1</p> <p>2. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in paragraph 1, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 30. | No. 40 of 2011 | Property Services (Regulation) Act 2011 | <p>Schedule 4 is amended—</p> <p>(a) by the substitution of the following paragraph for paragraph 1:</p> <p>“1. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of <i>section 67(5)</i> shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or, as the case may be, was not well founded,</p> <p>(b) require the employer to take a specified course of action, which may include, in a case where the</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>penalisation constitutes a dismissal, reinstatement or reengagement, or (c) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances, but not exceeding 104 weeks' remuneration in respect of the employee's employment calculated in accordance with regulations under section 17 of the Unfair Dismissals Act 1977, and the references in clauses (b) and (c) to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”,</p> <p>(b) by the substitution of the following paragraph for paragraph</p> |

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| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>2:</p> <p>“2. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in paragraph 1, shall affirm, vary or set aside the decision of the adjudication officer.”,</p> <p>and</p> <p>(c) in paragraph 3, by—</p> <p>(i) the substitution, in subparagraph (7), of “<i>Part 4</i> of the <i>Workplace Relations Act 2014</i>” for “this Schedule before a rights commissioner or the Labour Court”,</p> <p>(ii) the substitution, in clause (a) of subparagraph (8), of “an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i>” for “a rights commissioner under paragraph 1(1)”, and</p> <p>(iii) the substitution, in clause (b) of subparagraph (8), of “an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i>” for “a rights commissioner under paragraph 1(1)”.</p> |
| 31. | No. 13 of 2012 | Protection of Employees (Temporary Agency Work) Act 2012 | <p>Schedule 2 is amended by—</p> <p>(a) the substitution of the following paragraph for paragraph 1:</p> <p>“Decision under <i>section 41</i> of <i>Workplace Relations Act 2014</i>”</p> <p>1. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>complaint of a contravention of section 6, 11, 13(1), 14, 23 or 24 shall do one or more of the following, namely—</p> <ul style="list-style-type: none"> (a) declare that the complaint was or, as the case may be, was not well founded, (b) require the employer or hirer, as the case may be, to take a specified course of action (including reinstatement or reengagement of the employee or agency worker in circumstances where the employee or agency worker was dismissed by the employer or hirer), or (c) require the employer or hirer, as the case may be, to pay to the employee or agency worker compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances but not exceeding 2 years' remuneration in respect of the employee's or agency worker's employment, and the references in the foregoing clauses to |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>an employer or hirer shall be construed, in a case where ownership of the business of the employer or hirer changes after the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”,</p> <p>and</p> <p>(b) the substitution of the following paragraph for paragraph 2:</p> <p>“Decision of Labour Court on appeal from decision referred to in paragraph 1</p> <p>2. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in paragraph 1, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 32. | No. 25 of 2013 | Further Education and Training Act 2013 | <p>The Schedule is amended by—</p> <p>(a) the substitution of the following paragraph for paragraph 1:</p> <p>“Decision under <i>section 41</i> of <i>Workplace Relations Act 2014</i></p> <p>1. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of subsection (1) of section 35 shall do one or more of</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>the following, namely—</p> <ul style="list-style-type: none"> (a) declare that the complaint was or, as the case may be, was not well founded, (b) require the employer to take a specified course of action, or (c) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances but not exceeding 2 years' remuneration in respect of the employee's employment.”, <p>and</p> <p>(b) the substitution of the following paragraph for paragraph 2:</p> <p>“Decision of Labour Court on appeal from decision referred to in paragraph 1</p> <p>2. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in paragraph 1, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 33. | No. 26 of 2013 | Central Bank (Supervision and Enforcement) Act 2013 | <p>Schedule 5 is amended by—</p> <ul style="list-style-type: none"> (a) the substitution of the following paragraph for paragraph 1: <p>“Decision under <i>section 41</i> of</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p><i>Workplace Relations Act 2014</i></p> <p>1. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of section 41(1) of this Act shall do one or more of the following, namely—</p> <ul style="list-style-type: none"> (a) declare that the complaint was or, as the case may be, was not well founded, (b) require the employer to take a specified course of action, which may include, in a case where the penalisation constitutes a dismissal within the meaning of section 37(3), reinstatement or reengagement, or (c) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances, but not exceeding 2 years' remuneration in respect of the employee's employment calculated in accordance with regulations under |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>section 17 of the Unfair Dismissals Act 1977.”,</p> <p>and</p> <p>(b) the substitution of the following paragraph for paragraph 2:</p> <p>“Decision of Labour Court on appeal from decision referred to in paragraph 1</p> <p>2. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in paragraph 1, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 34. | No. 14 of 2014 | Protected Disclosures Act 2014 | <p>Schedule 2 is amended by—</p> <p>(a) the substitution of the following paragraph for paragraph 1:</p> <p>“Decision under <i>section 41</i> of <i>Workplace Relations Act 2014</i></p> <p>1. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of <i>section 12(1)</i> shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or, as the case may be, was not well founded,</p> <p>(b) require the employer to take a specified course of action,</p> <p>(c) require the employer to pay to the</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances, but not exceeding 260 weeks' remuneration in respect of the employee's employment calculated in accordance with regulations under section 17 of the Unfair Dismissals Act 1977.”,</p> <p>and</p> <p>(b) the substitution of the following paragraph for paragraph 2:</p> <p>“Decision of Labour Court on appeal from decision referred to in paragraph 1</p> <p>2. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in paragraph 1, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |

PART 2

AMENDMENT OF STATUTORY INSTRUMENTS

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| 1. | S.I. No. 231 of 2000 | European Communities (Parental Leave) Regulations 2000 | Regulation 8 is amended by— <ul style="list-style-type: none"> (a) the substitution of “adjudication officer within the meaning of the <i>Workplace Relations Act 2014</i>” for “rights commissioner”, (b) the substitution of “Labour Court” for “Tribunal” in each place that it occurs, and (c) the substitution of “the adjudication officer” for “the commissioner”. |
| 2. | S.I. No. 131 of 2003 | European Communities (Protection of Employees on Transfer of Undertakings) Regulations 2003 | The following regulation is substituted for regulation 10: <p style="text-align: center;">“Decision under section 41 of <i>Workplace Relations Act 2014</i>”</p> <p>10. A decision of an adjudication officer under section 41 of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of a provision (other than Regulation 4(4)(a) or 13) of these Regulations shall do one or more of the following, namely—</p> <ul style="list-style-type: none"> (a) declare that the complaint is or, as the case may be, is not well founded, (b) require the employer to comply with these Regulations and, for that purpose, to take a specified course of action, or (c) require the employer to pay to the employee |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>compensation of such amount (if any) as the adjudication officer considers just and equitable in the circumstances, but—</p> <p>(i) in the case of a contravention of Regulation 8, not exceeding 4 weeks' remuneration and,</p> <p>(ii) in the case of a contravention of any other Regulation, not exceeding 2 years' remuneration, in respect of the employee's employment calculated in accordance with regulations made under section 17 of the Unfair Dismissals Act 1977,</p> <p>and a reference in this Regulation to an employer shall be construed, in a case where ownership of the relevant undertaking or business, or the part concerned of that undertaking or business, of the employer changes after the contravention to which the complaint relates</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>occurs, as a reference to the person who, by virtue of the change, becomes entitled to such ownership.”.</p> <p>The following regulation is substituted for regulation 11:</p> <p>“Decision of Labour Court on appeal from decision referred to in Regulation 10</p> <p>11. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in Regulation 10, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 3. | S.I. No. 507 of 2006 | European Communities (Organisation of Working Time) (Mobile Staff in Civil Aviation) Regulations 2006 | <p>The following regulation is substituted for regulation 15:</p> <p>“Decision under <i>section 41</i> of <i>Workplace Relations Act 2014</i></p> <p>15. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of these Regulations shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or, as the case may be, was not well founded,</p> <p>(b) require the employer to comply with the relevant</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>provision, or (c) require the employer to pay to the crew member compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances, but not exceeding 2 years' remuneration in respect of the crew member's employment, and the references in this Regulation to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”.</p> <p>The following regulation is substituted for regulation 16:</p> <p>“Decision of Labour Court on appeal from decision referred to in Regulation 10</p> <p>16. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in Regulation 15, shall affirm, vary or</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | set aside the decision of the adjudication officer.”. |
| 4. | S.I. No. 259 of 2007 | European Communities (European Cooperative Society) (Employee Involvement) Regulations 2007 | <p>Schedule 2 is amended by—</p> <p>(a) the substitution of the following paragraph for paragraph 2:</p> <p>“Decision under section 41 of Workplace Relations Act 2014</p> <p>2. A decision of an adjudication officer under section 41 of the <i>Workplace Relations Act 2014</i> in relation to a complaint by a person referred to in clause (a), (b), (c) or (d) of Regulation 20(1) of a contravention by a relevant undertaking of that Regulation shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or, as the case may be, was not well founded,</p> <p>(b) require the relevant undertaking or the SCE to take a specified course of action, or</p> <p>(c) require the relevant undertaking or the SCE to pay to the person referred to in clause (a), (b), (c) or (d) of Regulation 20(1) compensation of such amount (if any) as the adjudication officer considers just and equitable having</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>regard to all the circumstances but not exceeding 2 years' remuneration in respect of the person's employment.”,</p> <p>and</p> <p>(b) the substitution of the following paragraph for paragraph 3:</p> <p>“Decision of Labour Court on appeal from decision referred to in paragraph 2</p> <p>3. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in paragraph 2, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 5. | S.I. No. 285 of 2007 | European Communities (Occurrence Reporting in Civil Aviation) Regulations 2007 | <p>Schedule 4 is amended by—</p> <p>(a) the substitution of the following paragraph for paragraph 1:</p> <p>“Decision under <i>section 41</i> of <i>Workplace Relations Act 2014</i></p> <p>1. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint by an employee of a contravention of Regulation 9(4) in relation to the employee shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or, as the case may be,</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>was not well founded,</p> <p>(b) require the employer to take a specified course of action,</p> <p>(c) require the employer to pay to the employee compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances but not exceeding 2 years' remuneration in respect of the employee's employment,</p> <p>and the references in the foregoing subparagraphs to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”,</p> <p>and</p> <p>(b) the substitution of the following paragraph for paragraph 2:</p> <p>“Decision of Labour Court on appeal from decision referred to in paragraph 1</p> <p>2. A decision of the Labour Court under <i>section 44</i> of</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | the <i>Workplace Relations Act 2014</i> , on appeal from a decision of an adjudication officer referred to in paragraph 1, shall affirm, vary or set aside the decision of the adjudication officer.”. |
| 6. | S.I. No. 157 of 2008 | European Communities (Cross-Border Mergers) Regulations 2008 | <p>Schedule 2 is amended by—</p> <p>(a) the substitution of the following paragraph for paragraph 2:</p> <p>“Decision under section 41 of Workplace Relations Act 2014</p> <p>2. A decision of an adjudication officer under section 41 of the <i>Workplace Relations Act 2014</i> in relation to a complaint by a person referred to in clause (a), (b), (c) or (d) of Regulation 39(1) of a contravention by a relevant company of that Regulation shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or, as the case may be, was not well founded,</p> <p>(b) require the relevant company to take a specified course of action,</p> <p>(c) require the relevant company to pay to the person referred to in clause (a), (b), (c) or (d) of Regulation 39(1) compensation of such amount (if</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>any) as the adjudication officer considers just and equitable having regard to all the circumstances but not exceeding 2 years' remuneration in respect of the person's employment.”,</p> <p>and</p> <p>(b) the substitution of the following paragraph for paragraph 3:</p> <p>“Decision of Labour Court on appeal from decision referred to in paragraph 2</p> <p>3. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in paragraph 2, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 7. | S.I. No. 377 of 2009 | European Communities (Working Conditions of Mobile Workers Engaged in Interoperable Cross-Border Services in the Railway Sector) Regulations 2009 | <p>The following Regulation is substituted for Regulation 8:</p> <p>“Decision of adjudication officer under section 41 of the Workplace Relations Act 2014</p> <p>8. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of these Regulations shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or was not well founded,</p> <p>(b) require the employer to comply with the relevant provision, or</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>(c) require the employer to pay to the mobile worker compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all the circumstances, but not exceeding 2 years' remuneration in respect of the mobile worker's employment,</p> <p>and the references in this Regulation to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership.”.</p> <p>The following Regulation is substituted for Regulation 9:</p> <p>“Decision of Labour Court on appeal from decision referred to in Regulation 8</p> <p>9. A decision of the Labour Court under <i>section 44</i> of the <i>Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in Regulation 8, shall affirm, vary or set aside the decision of the adjudication officer.”.</p> |
| 8. | S.I. No. 36 of 2012 | European Communities (Road Transport) (Organisation of Working Time of Persons Performing Mobile Road Transport Activities) Regulations 2012 | <p>The following Regulation is substituted for Regulation 18:</p> <p>“Decision of adjudication officer under section 41 of the Workplace Relations Act 2014</p> <p>18. A decision of an adjudication officer under <i>section 41</i> of the <i>Workplace Relations Act 2014</i> in relation to a complaint of a contravention of these Regulations shall do one or more of the following, namely—</p> <p>(a) declare that the complaint was or,</p> |

[SCHEDULE 6]

| Reference (1) | Number and Year (2) | Short title (3) | Extent of Amendment (4) |
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| | | | <p>as the case may be, was not well founded,</p> <p>(b) require the employer to comply with the provisions of these Regulations that have been contravened, or</p> <p>(c) require the employer to pay the mobile worker compensation of such amount (if any) as the adjudication officer considers just and equitable having regard to all of the circumstances, but not exceeding 104 weeks' remuneration in respect of the mobile worker's employment (calculated in accordance with requirements under section 17 of the Unfair Dismissals Act 1977), and the references in clause (b) and (c) to an employer shall be construed, in a case where ownership of the business of the employer changes after the contravention to which the complaint relates occurs, as references to the person who, by virtue of the change, becomes entitled to such ownership."</p> <p>The following Regulation is substituted for Regulation 19:</p> <p>"Decision of Labour Court on appeal from decision referred to in Regulation 18</p> <p>19. A decision of the Labour Court under <i>section 44 of the Workplace Relations Act 2014</i>, on appeal from a decision of an adjudication officer referred to in Regulation 18, shall affirm, vary or set aside the decision of the adjudication officer."</p> |

—An tAire Post, Fiontar agus Nuálaíochta.

[Acceptance of this amendment involves the deletion of Schedule 6 of the Bill.]