



**AN BILLE UM AITHEANTAS A THABHAIRT DO
CHEARDCHUMAINN, 2021
TRADE UNION RECOGNITION BILL 2021**

EXPLANATORY MEMORANDUM

Purpose of the Bill

The Bill sets out to provide a legal mechanism for trade union recognition for workers who comprise at least 20 per cent of the employees in a employment (or any category within that employment).

Provisions of the Bill:

Part Two sets out the mechanism in which workers can refer a dispute over trade union recognition with their employer to the Workplace Relations Committee in the first instance, and then to the Labour Court. It details how the Labour Court will conduct an investigation on foot of having a dispute referred to it and specifically that it should determine the numbers and proportion of trade union members in an employment or any category therein. The Part further details how the court will issue Employment Regulation Orders on the issue and that this can be done regardless of the operation or not of any relevant Joint Labour Committees.

Part Three details the effects of such an order and that an employer must then negotiate on matters relating to the employment of workers in their employment who are members of the trade union concerned. It also provides that access to the specific workplace by trade union representatives for the purpose of relevant business with their members must be accommodated by the employer concerned.

Part Four deals with related consequential matters including the repeal and amendment of related Acts to allow, for example, the Labour Court to hold investigations and issue findings specifically on the issue of collective bargaining rights and disputes.

*Richard Boyd Barrett TD, Paul Murphy TD, Bríd Smith TD,
Gino Kenny TD
Bealtaine, 2021.*