



An Bille Caidrimh Thionscail (Baghat ar Chomhchoistí Oibreachais), 2025
Industrial Relations (Boycott of Joint Labour Committees) Bill 2025

Mar a tionscnaíodh

As initiated



**AN BILLE CAIDRIMH THIONSCAIL (BAGHCAT AR CHOMHCHOISTÍ
OIBREACHAIS), 2025**
**INDUSTRIAL RELATIONS (BOYCOTT OF JOINT LABOUR COMMITTEES) BILL
2025**

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ACTS REFERRED TO

Industrial Relations Act 1946 (No. 26)

Industrial Relations Act 1990 (No. 19)

Industrial Relations Acts 1946 to 2019

National Minimum Wage Act 2000 (No. 5)



**AN BILLE CAIDRIMH THIONSAIL (BAGHCAT AR CHOMHCHOISTÍ
OIBREACHAIS), 2025
INDUSTRIAL RELATIONS (BOYCOTT OF JOINT LABOUR COMMITTEES) BILL
2025**

Bill

5

entitled

An Act to amend the provisions relating to the constitution of joint labour committees, so as to provide for cases where organisations of employers or of workers fail or refuse to engage in consultation with the Labour Court prior to the appointment of representative (employers) members or representative (workers) members, as the case may be; and to provide for connected matters.

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Be it enacted by the Oireachtas as follows:

Interpretation

1. In this Act—

“Act of 1946” means the Industrial Relations Act 1946;

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“committee” means a joint labour committee;

“Court” means the Labour Court;

“representative members”, in relation to a committee, means representative (employers) members or representative (workers) members but not both;

“the Schedule” means the Fifth Schedule to the Industrial Relations Act 1990.

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Constitution of joint labour committees: further provisions

2. (1) Notwithstanding anything in the Schedule, this section applies where, before appointing representative members—

(a) the Court sought to consult an organisation of employers or of workers, as the case may be, under paragraph 2 (2) of the Schedule, and

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(b) the organisation concerned failed or refused to engage, to any significant extent or at all, in consultation with the Court in relation to the appointment of such representative members.

(2) Where this section applies, the Court shall—

(a) appoint such persons to be representative members as, taken together and so far as is reasonably practicable, are in the opinion of the Court representative of the

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interests of employers or workers, as the case may be, in relation to whom the committee is to operate, and

- (b) from time to time review the membership of the committee and exercise its powers to determine the membership of representative members and to appoint new representative members, so as to ensure that, in the opinion of the Court, the representative members, taken together and so far as is reasonably practicable, continue to be representative of the interests of employers or workers, as the case may be, in relation to whom the committee is to operate. 5
- (3) Where the Court appoints persons to be members of a committee under this section, paragraph 2 (5) of the Schedule does not apply. 10

Where appointment of representative members impracticable

- 3. (1) Where *section 2* applies and the Court is satisfied that—
 - (a) it is not reasonably practicable for it to appoint a joint labour committee under that section that includes persons who are representative of the interests of employers and workers in relation to whom the committee is to operate, 15
 - (b) the policy or practice of the employers or workers concerned, as the case may be, or of a majority of them or of a representative organisation on their behalf, is calculated to result in there being no adequate machinery for the effective regulation of remuneration and other conditions of employment of those workers, and 20
 - (c) having regard to the existing rates of remuneration or conditions of employment of such workers or any of them, it is expedient that it should do so,the Court may formulate its own proposals for an employment regulation order.
- (2) When formulating proposals under *subsection (1)*, the Court shall have regard to—
 - (a) the legitimate financial and commercial interests of the employers in the sector in question, 25
 - (b) the desirability of agreeing and maintaining fair and sustainable minimum rates of remuneration appropriate to the sector in question,
 - (c) the general level of wages in comparable sectors, and
 - (d) the national minimum hourly rate of pay for the time being in force under section 11 of the National Minimum Wage Act 2000 and the appropriateness or otherwise of fixing a statutory minimum hourly rate of pay above that rate. 30
- (3) Subject to the provisions of this section, sections 42A and 42B of the Act of 1946 apply, with such modifications as may be necessary, to the formulation of proposals for an employment regulation by the Court under this section. 35
- (4) Where the Court has formulated proposals for an employment regulation order, it shall publish a notice stating—
 - (a) the place where copies of the proposals may be obtained, and
 - (b) that representations with respect to the proposals may be made to the Court not later than 21 days after the date of such publication. 40

- (5) The Court shall consider any representations made in accordance with *subsection (4)* and may, subject to any amendments it considers appropriate following such consideration, adopt the proposals.
- (6) Where the Court adopts the proposals under *subsection (5)*, it shall forward a copy of the proposals to the Minister, who shall deal with the proposals as if they were proposals formulated by a committee and adopted by the Court; section 42C of the Act of 1946 shall apply to the proposals accordingly.

Short title, collective citation, construction and commencement

- 4. (1) This Act may be cited as the Industrial Relations (Boycott of Joint Labour Committees) Act 2025.
- (2) The Industrial Relations Acts 1946 to 2019 and this Act may be cited together as the Industrial Relations Acts 1946 to 2025 and shall be construed together as one Act.
- (3) This Act comes into operation six months after its passing.

BILLE

(mar a tionscnaíodh)

dá ngairtear

AAcht do leasú na bhforálacha a bhaineann le comhdhéanamh comhchoistí oibreachais d'fhonn socrú a dhéanamh maidir le cásanna ina mainníonn nó ina ndiúltaíonn eagraíochtaí fostóirí nó eagraíochtaí oibrithe gabháil do chomhchomhairliúchán leis an gCúirt Oibreachais sula gceapfar comhaltaí (fostóirí) ionadaíocha nó comhaltaí (oibrithe) ionadaíocha, de réir mar a bheidh; agus do dhéanamh socrú i dtaobh nithe comhghaolmhara.

An Teachta Seoirse Ó Leathlobhair a thug isteach,
21 Bealtaine, 2025

BILL

(as initiated)

entitled

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Introduced by Deputy George Lawlor,
21st May, 2025

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN, CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8, D08 XAO6.
Teil: 046 942 3100
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