



**An Bille um Chothromaíocht Oibre agus Saoil (Ceart
Chun Cianoibre), 2026**

Work Life Balance (Right to Remote Work) Bill 2026

Meabhrán Miniúcháin
Explanatory Memorandum



**AN BILLE UM CHOTHROMAÍOCHT OIBRE AGUS SAOIL
(CEART CHUN CIANOIBRE), 2026
WORK LIFE BALANCE (RIGHT TO REMOTE WORK) BILL
2026**

EXPLANATORY MEMORANDUM

Purpose of Bill

Part 3 of the Work Life Balance and Miscellaneous Provisions Act 2023 introduced the right of an employee to request remote working arrangements. The employer is bound to consider the request and to convey a decision as to whether or not the request is granted, giving reasons if the request is refused. However, the Act does not confer a right to work remotely, either at all or in any particular circumstances, or a presumption in favour of such arrangements. If a complaint is made under that Part, an adjudication officer or, on appeal, the Labour Court is barred from considering the merits of the request. The purpose of this Bill, as its long title sets out, is to provide for the entitlement of an employee to remote working arrangements, where reasonably practicable.

Provisions of Bill

The *Preamble* to the Bill recites that it is necessary to make provision in the public interest, and in so far as is reasonably practicable, to achieve or to facilitate—

- the enjoyment by employees of an appropriate work life balance, with due regard to the rights of employers to manage an effective and efficient workforce,
- the promotion of access to employment, particularly for persons who face particular difficulties in taking up employment,
- a reduction in traffic congestion and in carbon emissions arising from the number of employees commuting between home and their workplaces,
- a rebalancing of the population and of amenities and resources between more densely and less densely populated regions in the State, and
- the economic and social development of the State as a whole, having regard to the policy of the Government on proper planning and sustainable development.

Section 1 is an interpretation provision, containing just one definition: references in the Bill to the “Act of 2023” mean the Work Life Balance and Miscellaneous Provisions Act 2023.

Section 2 deletes section 20(2) of the Act of 2023. That subsection provides that an employee’s approved remote working arrangement shall

not commence before the employee has completed 6 months continuous employment with the employer.

Section 3 seeks to amend section 21 of the Act of 2023. This is the section that obliges an employer to consider a request for a remote working arrangement. The amendment inserts a new subsection (1A) which provides that an employer may refuse such a request if the arrangement requested is not reasonably practicable, on one or more of the following objective grounds:

- the nature of the employee's work does not permit that it be done at a remote location;
- it is not reasonably practicable for the employer to reorganise the work done by his or her employees amongst them, so as to facilitate the proposed arrangement;
- the proposed arrangement is reasonably likely, even taking account of any reasonably available remedial measures or safeguards, adversely to affect the quality of the employer's product or service or the quality of the employee's work;
- the workspace at the proposed work location, even taking account of any reasonably available remedial measures or safeguards, is not a suitable workspace for the employee, due to concerns relating to business confidentiality, intellectual property or data protection, the employee's health and safety, or internet connectivity and other infrastructural resources at the proposed remote location;
- the proposed arrangement conflicts with the provisions of an applicable collective agreement.

Section 4 amends repeals section 27 of the Act of 2023 and inserts a substitute provision. This is the section dealing with the complaints procedure, which currently prohibits an assessment of the merits of an employer's decision. Under the new provision, an adjudication officer's decision in relation to a complaint must do one or more of the following–

- declare whether the complaint was or was not well founded,
- require the employer to comply with the relevant provision, or
- require the employer to pay to the employee such compensation as the adjudication officer considers just and equitable in all of the circumstances, but not exceeding 4 weeks' remuneration (including allowances in the nature of pay and benefits in lieu of or in addition to pay).

The Labour Court on appeal from a decision of an adjudication officer may affirm, vary or set aside that decision.

Section 5 provides in standard form for the Bill's short title, and collective citation and construction when passed and for its coming into operation by way of orders to be made by the Minister for Enterprise, Tourism and Employment.

*George Lawlor, TD,
Feabhra, 2026.*