



An Bille um Chothromaíocht Oibre is Saoil, 2026
Work Life Balance Bill 2026

Mar a tionscnaíodh

As initiated



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CONTENTS

PART 1

PRELIMINARY AND GENERAL

Section

1. Short title, collective citation, construction and commencement
2. Interpretation
3. Voidance or modification of certain provisions in agreements
4. Expenses
5. Repeals and consequential amendments

PART 2

FLEXIBLE WORKING ARRANGEMENTS

6. Right to request flexible working arrangement
7. Obligation on employer to consider request under section 6
8. Changes to flexible working arrangement
9. Termination in certain circumstances of flexible working arrangement
10. Return to previous working arrangement
11. Abuse of flexible working arrangement

PART 3

EMPLOYMENT RIGHTS

12. Protection from penalisation
13. Decision under section 41 or 44 of Act of 2015
14. Amendment of Act of 2015

PART 4

MISCELLANEOUS PROVISIONS

15. Amendment of Schedule 3 to Redundancy Payments Act 1967
16. Amendment of section 6 (unfair dismissal) of Unfair Dismissals Act 1977
17. Amendment of Organisation of Working Time Act 1997
18. Records
19. Review of Act
20. Transitional provisions

SCHEDULE

CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENT OF PARENTAL LEAVE ACT 1998

PART 2

MISCELLANEOUS AMENDMENTS

ACTS REFERRED TO

Civil Service Regulation Act 1956 (No. 46)
Interpretation Act 2005 (No. 23)
Local Government Act 2001 (No. 37)
Organisation of Working Time Act 1997 (No. 20)
Parental Leave Act 1998 (No. 30)
Parental Leave Acts 1998 to 2023
Protection of Employees (Temporary Agency Work) Act 2012 (No. 13)
Redundancy Payments Act 1967 (No. 21)
Redundancy Payments Acts 1967 to 2022
Unfair Dismissals Act 1977 (No. 10)
Unfair Dismissals Acts 1977 to 2015
Work Life Balance and Miscellaneous Provisions Act 2023 (No. 8)
Workplace Relations Act 2015 (No. 16)



AN BILLE UM CHOTHROMAÍOCHT OIBRE IS SAOIL, 2026
WORK LIFE BALANCE BILL 2026

Bill

entitled

An Act to provide an entitlement to employees to request certain flexible working arrangements, to make certain provision for amending or terminating any such arrangements that have been agreed with an employer, to give further effect to Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019¹ on work-life balance for parents and carers and to provide for related matters. 5

Be it enacted by the Oireachtas as follows: 10

PART 1

PRELIMINARY AND GENERAL

Short title, collective citation, construction and commencement

1. (1) This Act may be cited as the Work Life Balance Act 2026.
- (2) This subsection, *subsections (2) and (3) of section 5, section 20* (in so far as it relates to the Parental Leave Act 1998), *Part 1* of the Schedule and the Parental Leave Acts 1998 to 2023 may be cited together as the Parental Leave Acts 1998 to 2026. 15
- (3) This subsection, *section 15, Part 2* of the Schedule (in so far as it amends the Redundancy Payments Act 1967) and the Redundancy Payments Acts 1967 to 2022 may be cited together as the Redundancy Payments Acts 1967 to 2026 and shall be construed together as one. 20
- (4) This subsection, *section 16, Part 2* of the Schedule (in so far as it amends the Unfair Dismissals Act 1977) and the Unfair Dismissals Acts 1977 to 2015 may be cited together as the Unfair Dismissals Acts 1977 to 2026 and shall be construed together as one. 25
- (5) This Act comes into operation 6 months after the date of its passing or such earlier date than the said 6 months as the Minister may appoint by order.

Interpretation

2. (1) In this Act—

¹ OJ No. L188, 12.7.2019, p. 79

“Act of 2015” means the Workplace Relations Act 2015;

“approved flexible working arrangement” means a flexible working arrangement, the request for which has been approved under *section 7(1)(b)(i)*;

“contract of employment” means, subject to *subsection (2)*—

- (a) a contract of service or apprenticeship, or 5
- (b) any other contract whereby an individual agrees with another person, who is carrying on the business of an employment agency (within the meaning of the Protection of Employees (Temporary Agency Work) Act 2012), and is acting in the course of that business, to do or perform personally any work or service for another person (whether or not that other person is a party to the contract), 10

whether the contract is expressed or implied and, if expressed, whether it is oral or in writing;

“employee” means a person of any age who has entered into or works under (or, where the employment has ceased, entered into or worked under) a contract of employment and includes a part-time employee and a fixed-term employee, and references, in relation to an employer, to an employee shall be construed as references to an employee employed by that employer; 15

“employer”, in relation to an employee—

- (a) means the person with whom the employee has entered into or for whom the employee works under (or, where the employment has ceased, entered into or worked under) a contract of employment, subject to the qualification that the person who under a contract of employment referred to in *paragraph (b)* of the definition of “contract of employment” is liable to pay the remuneration of the individual concerned in respect of the work or service concerned shall be deemed to be the individual’s employer, and 20 25
- (b) includes, where appropriate, the successor of the employer or an associated employer of the employer;

“flexible working arrangement” means a working arrangement where an employee’s working hours or patterns are adjusted, including through the use of remote working arrangements, flexible working schedules or reduced working hours; 30

“Minister” means the Minister for Enterprise, Tourism and Employment;

“original working arrangement”, in relation to an employment of an employee that is the subject of an approved flexible working arrangement, means the working hours or patterns that the employee was required to work in that employment before the approval of the flexible working arrangement; 35

“remote working arrangement” means an arrangement whereby some or all of the work ordinarily carried out by an employee at an employer’s place of business under a contract of employment is provided at a location other than at the employer’s place of business without change to the employee’s ordinary working hours or duties;

“request for a flexible working arrangement” means a request referred to under *section 6(1)*. 40

- (2) For the purposes of this Act—
- (a) a person holding office under, or in the service of, the State (including a member of An Garda Síochána or the Defence Forces) or otherwise as a civil servant, within the meaning of the Civil Service Regulation Act 1956, shall be deemed to be an employee employed by the State or Government, as the case may be, under a contract of service, and 5
 - (b) an officer or servant of a local authority for the purposes of the Local Government Act 2001, a harbour authority or the Health Service Executive or a member of staff of an education and training board shall be deemed to be an employee employed by the authority, Executive or board, as the case may be, under a contract of service. 10
- (3) For the purposes of this Act, one employer shall be taken to be associated with another employer—
- (a) if one is a body corporate of which the other (whether directly or indirectly) has control, or 15
 - (b) if both are bodies corporate of which a third person (whether directly or indirectly) has control.

Voidance or modification of certain provisions in agreements

3. (1) A provision in any agreement shall be void in so far as it purports to exclude or limit the application of any provision of this Act or is inconsistent with any provision of this Act. 20
- (2) A provision in any agreement which is or becomes less favourable in relation to an employee than a similar or corresponding entitlement conferred on the employee by this Act shall be deemed to be so modified as to be not less favourable.
- (3) Nothing in this Act shall be construed as prohibiting the inclusion in an agreement of a provision more favourable to an employee than any provision in this Act. 25
- (4) References in this section to an agreement are to any agreement, whether a contract of employment or not and whether made before or after the coming into operation of this section.

Expenses 30

4. The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Public Expenditure, Infrastructure, Public Service Reform and Digitalisation, be paid out of monies provided by the Oireachtas.

Repeals and consequential amendments 35

5. (1) The Work Life Balance and Miscellaneous Provisions Act 2023 is repealed.
- (2) Part IIA of the Parental Leave Act 1998 is repealed.
- (3) The provisions of the Parental Leave Act 1998 specified in *column (2)* of *Part 1* of the Schedule are amended to the extent specified in *column (3)* of that Part.

- (4) The enactments specified in *column (3)* of *Part 2* of the Schedule are amended to the extent specified in *column (4)* of that Part.

PART 2

FLEXIBLE WORKING ARRANGEMENTS

Right to request flexible working arrangement

5

6. (1) An employee may, in accordance with this section, request a flexible working arrangement.
- (2) A request for a flexible working arrangement referred to in *subsection (1)* shall—
- (a) be in writing and signed by the employee,
 - (b) specify the form of the flexible working arrangement requested and the proposed date of commencement and, where applicable, expiration of the flexible working arrangement, and 10
 - (c) be submitted to the employer concerned as soon as reasonably practicable but not later than 8 weeks before the proposed commencement of the flexible working arrangement. 15
- (3) An employee who has submitted a request in accordance with *subsection (2)* shall, if the employer so requests, furnish to the employer such further information as the employer may reasonably require for the purpose of considering the request.
- (4) Before the date on which an agreement referred to in *section 7(1)(b)(i)* is signed by the employer and the employee, the employee may, by notice in writing signed by the employee and given to the employer, withdraw a request submitted in accordance with *subsection (2)*. 20

Obligation on employer to consider request under section 6

7. (1) An employer who receives a request for a flexible working arrangement submitted in accordance with *section 6(2)* shall— 25
- (a) consider that request in accordance with this section, and
 - (b) as soon as reasonably practicable but, subject to *subsection (2)*, not later than 4 weeks after receipt of the request—
- (i) approve the request, which approval shall include an agreement prepared and signed by the employer and employee setting out— 30
 - (I) the details of the flexible working arrangement, and
 - (II) the date of the commencement and the expiration, if any, of the flexible working arrangement,
 - (ii) provide a notice in writing informing the employee that the request has been refused and of the reasons for the refusal, or 35
 - (iii) where *subsection (2)* applies, provide a notice in writing to the employee that

the employer has extended the 4 week period under this subsection for a further period specified in the notice.

- (2) Where an employer is having difficulty assessing the viability of the request for a flexible working arrangement, the employer may extend the 4 week period referred to in *subsection (1)* by a further period not exceeding 8 weeks. 5
- (3) An employer shall not refuse a request for a flexible working arrangement unless one or more of the following grounds apply:
- (a) having regard to any additional costs that would be borne by the employer in facilitating the flexible working arrangement concerned, the arrangement would impose an unreasonable burden on the employer; 10
 - (b) the flexible working arrangement concerned would have a detrimental impact on the ability of the employer to meet customer demand;
 - (c) (i) the flexible working arrangement concerned would necessitate work to be re-organised among existing staff, and
(ii) it would not be reasonably possible to so re-organise the work; 15
 - (d) (i) the flexible working arrangement concerned would necessitate recruitment of additional staff, and
(ii) it would not be reasonably possible to so recruit additional staff;
 - (e) the flexible working arrangement concerned would have a detrimental impact on the quality of any good or service provided by the employer; 20
 - (f) the flexible working arrangement would have a detrimental impact on the work-related performance of the employee concerned;
 - (g) the flexible working arrangement would involve patterns of work that would require the employee concerned to work during periods when there would be an insufficiency of work available for the employee to perform; 25
 - (h) the flexible working arrangement would not be reasonably practicable by reason of structural changes planned for the workplace concerned.
- (4) When an agreement referred to in *subsection (1)(b)(i)* is signed by an employer and an employee, the employer shall retain the agreement and provide a copy of the agreement to the employee who shall retain it. 30

Changes to flexible working arrangement

8. If, after the date on which an agreement referred to in *section 7(1)(b)(i)* is signed by an employer and an employee (whether or not the approved flexible working arrangement to which it relates has commenced), the employer and the employee so agree, in writing—
- (a) the flexible working arrangement or part of it may be postponed to such time as may be agreed, 35
 - (b) the period of the flexible working arrangement may be curtailed in such manner and to such extent as may be agreed, or
 - (c) the form of the flexible working arrangement may be varied in such manner as

may be agreed,
and in such a case the agreement referred to in *section 7(1)(b)(i)* shall be deemed to be amended accordingly.

Termination in certain circumstances of flexible working arrangement

9. (1) If, after the date on which an agreement referred to in *section 7(1)(b)(i)* is signed by the employer and the employee (whether or not the approved flexible working arrangement to which it relates has commenced), the employer is satisfied that the flexible working arrangement would have, or is having, one or more effects referred to in *paragraphs (a) to (h) of section 7(3)*, the employer may, by notice in writing terminate the arrangement. 5 10
- (2) A notice under *subsection (1)* shall—
- (a) contain a statement in summary form of the grounds for terminating the flexible working arrangement concerned, and
 - (b) specify the day (being a day not later than the date of the end of the period of the arrangement specified in the agreement referred to in *section 7(1)(b)(i)*, if any, nor, subject to the foregoing requirement, earlier than 4 weeks after the date of the receipt by the employee of the notice) on which the employee concerned is required to return to the original working arrangement. 15
- (3) Where an approved flexible working arrangement is terminated under *subsection (1)*, the employee concerned shall return to the employee's original working arrangement on the day specified in the notice under that subsection. 20
- (4) Where an employer proposes to give a notice under *subsection (1)* to an employee, the employer shall, before giving the notice, give notice in writing of the proposal to the employee.
- (5) A notice under *subsection (4)* shall include the following: 25
- (a) a statement in summary form of the grounds for terminating the flexible working arrangement concerned;
 - (b) a statement that the employee may, within 7 days of the receipt of the notice, make representation to the employer in relation to the proposal.
- (6) Where an employee, having received a notice under *subsection (4)*, makes representations to an employer in relation to a proposed termination of a flexible working arrangement, the employer shall consider those representations before deciding whether to give a notice under *subsection (1)* to the employee. 30
- (7) A person shall retain a notice under this section given to that person and a copy of a notice under this section given by that person. 35
- (8) Where a flexible working arrangement is terminated under *subsection (1)*, the agreement referred to in *section 7(1)(b)(i)* shall be deemed to be revoked accordingly.

Return to previous working arrangement

10. (1) After the date on which an agreement referred to in *section 7(1)(b)(i)* is signed by an

employer and an employee and prior to the expiration of the employee's approved flexible working arrangement, if any, the employee may by notice in writing signed by the employee and given to the employer, request to return to the employee's original working arrangement.

- (2) The notice referred to in *subsection (1)* shall set out the reasons for the return to the original working arrangement and the proposed date for the return. 5
- (3) An employer who receives a request referred to in *subsection (1)* shall—
- (a) consider that request in accordance with this section, and
 - (b) as soon as reasonably practicable but not later than 4 weeks after receipt of the request, by notice in writing, respond to the employee to inform the employee— 10
 - (i) that the request has been approved, or
 - (ii) that the request has been refused and of the reasons for the refusal.
- (4) An employer shall not refuse a request under *subsection (1)* unless one or more of the following grounds apply:
- (a) having regard to any additional costs that would be borne by the employer in facilitating the return to the original working arrangement of the employee concerned, the return would impose an unreasonable burden on the employer; 15
 - (b) the return to the original working arrangement of the employee concerned would have a detrimental impact on the ability of the employer to meet customer demand; 20
 - (c) (i) the return to the original working arrangement of the employee concerned would necessitate work to be re-organised among existing staff, and
 - (ii) it would not be reasonably possible to so re-organise the work;
 - (d) (i) the return to the original working arrangement of the employee concerned would necessitate recruitment of additional staff, and 25
 - (ii) it would not be reasonably possible to so recruit additional staff;
 - (e) the return to the original working arrangement of the employee concerned would have a detrimental impact on the quality of any good or service provided by the employer;
 - (f) the return to the original working arrangement of the employee concerned would have a detrimental impact on the work-related performance of the employee concerned; 30
 - (g) the return to the original working arrangement of the employee concerned would involve patterns of work that would require the employee concerned to work during periods when there would be an insufficiency of work available for the employee to perform; 35
 - (h) the return to the original working arrangement of the employee concerned would not be reasonably practicable by reason of structural changes planned for the workplace concerned.
- (5) If the employer agrees to a request by an employee for a return to the employee's 40

original working arrangement but refuses to agree to the proposed date of return set out in the notice referred to in *subsection (1)*, the notice under *subsection (3)* by the employer shall propose an alternative date for the return.

- (6) On the expiration of the employee's approved flexible working arrangement, the employee concerned shall be entitled to return to the employee's original working arrangement. 5

Abuse of flexible working arrangement

11. (1) An approved flexible working arrangement is subject to the condition that the employee continues to discharge all duties of the employment concerned in accordance with the agreement referred to in *section 7(1)(b)(i)*. 10
- (2) Where an employer has reasonable grounds for believing that an employee who is on an approved flexible working arrangement is not discharging all of the duties of the employment concerned in accordance with the agreement referred to in *section 7(1)(b)(i)*, the employer may, by notice in writing given to the employee, terminate the approved flexible working arrangement. 15
- (3) A notice under *subsection (2)* shall—
- (a) contain a statement in summary form of the grounds for terminating the arrangement, and
 - (b) specify the day (being a day not later than the date of the end of the period of the arrangement, if any, specified in the agreement referred to in *section 7(1)(b)(i)*, nor, subject to the foregoing requirement, earlier than 7 days after the date of the receipt by the employee concerned of the notice) on which the employee concerned is required to return to the original working arrangement. 20
- (4) Where an approved flexible working arrangement is terminated under *subsection (2)*, the employee concerned shall return to the employee's original working arrangement on the day specified in the notice under that subsection. 25
- (5) Where an employer proposes to give a notice under *subsection (2)* to an employee, the employer shall, before giving the notice, give notice in writing of the proposal to the employee.
- (6) A notice under *subsection (5)* shall contain the following: 30
- (a) a statement in summary form of the grounds for terminating the flexible working arrangement concerned;
 - (b) a statement that the employee may within 7 days of the receipt of the notice make representation to the employer in relation to the proposal.
- (7) Where an employee, having received a notice under *subsection (5)*, makes representations to an employer in relation to a proposed termination of a flexible working arrangement, the employer shall consider those representations before deciding whether to give a notice under *subsection (2)* to the employee. 35
- (8) A person shall retain a notice under this section given to that person and a copy of a notice under this section given by that person. 40

PART 3

EMPLOYMENT RIGHTS

Protection from penalisation

12. (1) In this section, “penalisation” means any act or omission by an employer or a person acting on behalf of an employer that affects, to the employee’s detriment, an employee with respect to any term or condition of the employment concerned. 5
- (2) Without prejudice to the generality of *subsection (1)*, penalisation includes—
- (a) suspension, lay-off or dismissal (including a dismissal within the meaning of the Unfair Dismissals Acts 1977 to 2015), or the threat of suspension, lay-off or dismissal, 10
 - (b) demotion or loss of opportunity for promotion,
 - (c) transfer of duties, change of location of place of work, reduction in wages or change in working hours,
 - (d) imposition of any discipline, reprimand or other penalty (including a financial penalty), and 15
 - (e) coercion or intimidation.
- (3) An employer shall not penalise or threaten penalisation against an employee for—
- (a) proposing to exercise or having exercised a right under this Act,
 - (b) exercising an approved flexible working arrangement,
 - (c) seeking redress under this Act, 20
 - (d) having, in good faith, opposed by lawful means any act that is unlawful under this Act,
 - (e) giving evidence in legal proceedings under this Act, or
 - (f) giving notice of an intention to do anything referred to above.
- (4) If a penalisation of an employee, in contravention of *subsection (2)*, constitutes a dismissal of the employee within the meaning of the Unfair Dismissals Acts 1977 to 2015, relief may not be granted to the employee in respect of the penalisation both under this Act and under those Acts. 25

Decision under section 41 or 44 of Act of 2015

13. (1) In this section— 30
- “adjudication officer” means a person appointed under section 40 of the Act of 2015;
- “remuneration” includes allowances in the nature of pay and benefits *in lieu* of or in addition to pay.
- (2) A decision of an adjudication officer under section 41 of the Act of 2015, or a decision of the Labour Court under section 44 of that Act on appeal from the first-mentioned decision, in relation to a dispute between an employee and an 35

- employer under this Act may specify one or more of the following, as applicable:
- (a) a direction that the employer comply with a requirement under this Act;
 - (b) a direction that the employer reconsider any of the following decisions:
 - (i) a decision to refuse a request for a flexible working arrangement under *section 7*; 5
 - (ii) a decision to terminate an approved flexible working arrangement under *section 9*;
 - (iii) a decision to refuse a request for a return to a previous working arrangement under *section 10*;
 - (iv) a decision to terminate an approved flexible working arrangement under *section 11*; 10
 - (c) in respect of any contravention of this Act other than a contravention of *section 12*, an award of compensation of such amount, determined in accordance with *subsection (5)*, in favour of the employee concerned to be paid by the employer concerned; 15
 - (d) in respect of a contravention of *section 12*, an award of compensation in favour of the employee concerned to be paid by the employer concerned of such amount as the officer or court considers just and equitable in all the circumstances.
- (3) Where an adjudication officer or the Labour Court—
- (a) directs an employer, in accordance with *subsection (2)(a)*, to comply with a requirement under *section 7(1)*, or 20
 - (b) directs an employer, in accordance with *subsection (2)(b)(i)*, to reconsider a decision to refuse a request for a flexible working arrangement under *section 7*, then *section 7(1)(b)* shall apply as if the reference in that subsection to the date that is 4 weeks after the receipt of the request concerned was a reference to such date as may be specified by the officer or Court in the direction. 25
- (4) Where an adjudication officer or the Labour Court—
- (a) directs an employer, in accordance with *subsection (2)(a)*, to comply with a requirement under *section 10(3)*, or
 - (b) directs an employer, in accordance with *subsection (2)(b)(iii)*, to reconsider a decision to refuse a decision to refuse a request for a return to a previous working arrangement under *section 10*, 30 then *section 10(3)(b)* shall apply as if the reference in that subsection to the date that is 4 weeks after the receipt of the request concerned was a reference to such date as may be specified by the officer or Court in the direction. 35
- (5) An award of compensation referred to in *subsection (2)(c)* 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 the manner as may be prescribed by regulations made by the Minister. 40

Amendment of Act of 2015

14. The Act of 2015 is amended—

- (a) in section 41(7), by the insertion of the following paragraph after paragraph (i) (deleted under *Part 2* of the Schedule):

“(j) in the case of a dispute relating to an entitlement of an employee or an obligation of an employer, as the case may be, under the *Work Life Balance Act 2026*, it has been referred to the Director General after the expiration of the period of 6 months beginning on the day immediately following the date of the occurrence of the dispute.”,

- (b) in Part 1 of Schedule 1, by the insertion of the following paragraph after paragraph 23:

“24. *Work Life Balance Act 2026*”,

- (c) in Part 3 of Schedule 5, by the insertion of the following paragraph after paragraph 9 (deleted under *Part 2* of the Schedule):

“10. *Work Life Balance Act 2026*”, 15

and

- (d) in Schedule 6—

- (i) in Part 1 (Acts of the Oireachtas), by the insertion of the following paragraph after paragraph 40 (deleted under *Part 2* of the Schedule):

“41. *Section 13 of the Work Life Balance Act 2026*”, 20

and

- (ii) in Part 2 (Acts of the Oireachtas), by the insertion of the following paragraph after paragraph 40 (deleted under *Part 2* of the Schedule):

“41. *Section 13 of the Work Life Balance Act 2026*”.

PART 4 25

MISCELLANEOUS PROVISIONS

Amendment of Schedule 3 to Redundancy Payments Act 1967

15. Schedule 3 to the Redundancy Payments Act 1967 is amended—

- (a) in paragraph 5, by the insertion of the following subparagraph after subparagraph (f): 30

“(g) any period during which an employee was absent from work in accordance with an approved flexible working arrangement, within the meaning of the *Work Life Balance Act 2026*”,

and

- (b) in paragraph 8A— 35

(i) by the insertion of the following subparagraph after subparagraph (bb):

“(bc) any period during which an employee was absent from work in accordance with an approved flexible working arrangement, within the meaning of the *Work Life Balance Act 2026*,”

and 5

(ii) in subparagraph (c), by the substitution of “(ba), (bb) or (bc)” for “(ba) or (bb)”.

Amendment of section 6 (unfair dismissal) of Unfair Dismissals Act 1977

16. Section 6 of the Unfair Dismissals Act 1977 is amended in subsection (2)—

(a) in paragraph (j), by the substitution of “that Act,” for “that Act.”, and 10

(b) by the insertion of the following paragraph after paragraph (j):

“(k) a request for a flexible working arrangement, within the meaning of the *Work Life Balance Act 2026* or the exercise of an approved flexible working arrangement within the meaning that Act.”

Amendment of Organisation of Working Time Act 1997

15

17. The Organisation of Working Time Act 1997 is amended—

(a) in section 15(4), by the insertion of the following paragraph after paragraph (aa):

“(ab) any period during which an employee was absent from work in accordance with an approved flexible working arrangement, within the meaning of the *Work Life Balance Act 2026*,” 20

and

(b) in section 16(5), by the insertion of the following paragraph after paragraph (cc):

“(cd) any period during which an employee was absent from work in accordance with an approved flexible working arrangement, within the meaning of the *Work Life Balance Act 2026*,” 25

Records

18. (1) An employer shall make a record of approved flexible working arrangements taken by each of the employer’s employees showing the period of employment of each employee and the dates and times upon which each employee was on an approved flexible working arrangement. 30

(2) A record under this section shall be retained by the employer concerned for a period of not less than 3 years.

(3) Notices, or copies of notices, required by this Act to be retained by a person shall be retained by the person for a period of not less than one year.

(4) An employer who contravenes *subsection (1) or (2)*, shall be guilty of an offence and shall be liable on summary conviction to a class C fine. 35

- (5) Proceedings for an offence under this section may be brought and prosecuted by the Minister.

Review of Act

19. (1) The Minister shall—

- (a) not earlier than 6 months and not later than 12 months after this Act comes into operation, conduct a review of the operation of this Act, and 5
(b) not later than 12 months after the commencement of that review, prepare a report in writing of the findings of the review.

(2) A review under this section shall—

- (a) have regard to Directive (EU) 2019/1158 of 20 June 2019², and 10
(b) consider, in particular, any proposals for legislative reform, including by making provision for a statutory right for certain employees to exercise a remote working arrangement.

(3) For the purpose of conducting a review under *subsection (1)*, the Minister shall consult each of the following: 15

- (a) the Minister for Children, Disability and Equality;
(b) the Workplace Relations Commission;
(c) such persons as the Minister considers to be representative of employers generally;
(d) such persons as the Minister considers to be representative of employees 20 generally;
(e) such other persons as the Minister considers appropriate.

(4) The Minister shall, as soon as practicable after preparing a report under this section—

- (a) publish the report on a website maintained by or on behalf of the Minister, and
(b) cause copies of the report to be laid before each House of the Oireachtas. 25

Transitional provisions

20. (1) In this section—

“Act of 1998” means the Parental Leave Act 1998;

“Act of 2023” means the Work Life Balance and Miscellaneous Provisions Act 2023;

“enactment” has the meaning given to it in the Interpretation Act 2005; 30

“extant working arrangement” means—

- (a) a remote working arrangement that has been approved under section 21(1)(b)(i) of the Act of 2023, or
(b) a flexible working arrangement that has been approved under

2 OJ No. L188, 12.7.2019, p. 79

section 13C (1)(b)(i) of the Act of 1998,

and that is in operation immediately before the coming into operation of this Act.

- (2) An extant working arrangement shall be deemed to be an approved flexible working arrangement within the meaning of this Act and may be amended or terminated in accordance with this Act. 5
- (3) Where, before the coming into operation of this Act, notice has been duly given to an employee under the Act of 2023 or the Act of 1998 terminating a flexible working arrangement, that notice shall be deemed to have been given under a corresponding provision of this Act and the employee shall return to the employee’s original working arrangement on the date specified in that notice. 10
- (4) Any request made by an employee under section 20 of the Act of 2023 or section 13B of the Act of 1998 that has not, before the coming into operation of this Act, been approved or refused under section 21 of the Act of 2023 or section 13C of the Act of 1998, as the case may be, shall be deemed to be a request made under *section 6* and the provisions of this Act shall apply in respect of that request. 15
- (5) Where—
- (a) a notice has been given by an employer under section 22(4) of the Act of 2023 or section 13E(4) of the Act of 1998, informing the employee concerned of the employer’s intention to terminate an extant working arrangement (in this subsection referred to as a “preliminary notice”), and 20
- (b) the employer has not, before the coming into operation of this Act, given a notice under section 22(1) of the Act of 2023 or section 13E(1) of the Act of 1998, as the case may be, terminating the extant working arrangement concerned,
- the preliminary notice shall be deemed to have been given under *section 9(4)* and the provisions of that section shall apply accordingly. 25
- (6) Any request made by an employee under section 24 of the Act of 2023 or section 13F of the Act of 1998 that has not, before the coming into operation of this Act, been approved or refused under either such section, as the case may be, shall be deemed to be a request made under *section 10* and the provisions of that section shall apply in respect of that request. 30
- (7) Where—
- (a) a notice has been given by an employer under section 25(4) of the Act of 2023 or section 13G(4) of the Act of 1998, informing the employee concerned of the employer’s intention to terminate an extant working arrangement (in this subsection referred to as a “preliminary notice”), and 35
- (b) the employer has not, before the coming into operation of this Act, given a notice under section 25(2) of the Act of 2023 or section 13G(2) of the Act of 1998, as the case may be, terminating the extant working arrangement concerned,
- the preliminary notice shall be deemed to have been given under *section 11(5)* and the provisions of that section shall apply accordingly. 40
- (8) Any period during which an employee was, before the coming into operation of this Act, absent from work in accordance with an extant working arrangement shall be

deemed, for the purpose of any other enactment, to be a period during which the employee was absent from work in accordance with an approved working arrangement under this Act.

- (9) Notwithstanding the repeal or amendment of any enactment by *section 5*, any proceedings that have been initiated, and have not been concluded, before the coming into operation of this Act, shall not be affected by such repeal or amendment. 5

SCHEDULE

CONSEQUENTIAL AMENDMENTS

Section 5

PART 1

AMENDMENT OF PARENTAL LEAVE ACT 1998

5

Reference (1)	Provision amended (2)	Extent of amendment (3)	
1.	Section 2	In subsection (1), delete the following definitions: (a) “approved flexible working arrangement”; (b) “code of practice”; (c) “flexible working arrangement”; (d) “request for flexible working arrangement”. Delete subsection (3A).	10
2.	Section 16A(1)	Delete “section 13B(1) or”.	
3.	Section 21(1)	Delete “, other than a decision referred to in section 21A,”.	15
4.	Section 21A	Delete.	
5.	Section 22A(1)	Delete “other than Part IIA”.	
6.	Section 27(1)	Substitute “leave for medical care purposes and domestic violence leave” for “leave for medical care purposes, domestic violence leave and approved flexible working arrangements”.	20
7.	Section 27(2)(c)	Substitute “leave for medical care purposes or domestic violence leave” for “leave for medical care purposes, domestic violence leave or an approved flexible working arrangement”.	25

PART 2

MISCELLANEOUS AMENDMENTS

Reference (1)	Number and year (2)	Short title (3)	Extent of amendment (4)	
1.	No. 21 of 1967	Redundancy Payments Act 1967	In Schedule 3— (a) in paragraph 5(c)(ii), substitute “leave for medical care purposes or domestic violence leave” for “leave for medical care purposes, domestic violence leave or an approved flexible working arrangement”, and (b) in paragraph 8A(b)(ii), substitute “leave for medical care purposes or domestic violence leave” for “leave for medical care purposes, domestic violence leave or an approved flexible working arrangement”.	5 10 15
2.	No. 10 of 1977	Unfair Dismissals Act 1977	In section 6(2)(dd), substitute “leave for medical care purposes or domestic violence leave” for “leave for medical care purposes, domestic violence leave or an approved flexible working arrangement”.	20
3.	No. 20 of 1997	Organisation of Working Time Act 1997	In section 15(4)(aa), substitute “leave for medical care purposes or domestic violence leave” for “leave for medical care purposes, domestic violence leave or an approved flexible working arrangement within the meaning of the Parental Leave Act 1998”. In section 16(5)(cc), substitute “leave for medical care purposes or domestic violence leave” for “leave for medical care purposes, domestic violence leave or an approved flexible working arrangement within the meaning of the Parental Leave Act 1998”.	25 30 35
4.	No. 16 of 2015	Workplace Relations Act 2015	Delete the following: (a) paragraph (i) of section 41(7); (b) paragraph 20 (inserted by section 40(c) of the Work Life Balance and Miscellaneous Provisions Act 2023) of Part 2 of Schedule 1; (c) paragraph 9 of Part 3 of Schedule 5; (d) in Schedule 6— (i) paragraphs 39 and 40 of Part 1 (Acts of the Oireachtas), and (ii) paragraphs 39 and 40 of Part 2 (Acts of the Oireachtas).	40 45

An Bille um Chothromaíocht Oibre is Saoil,
2026

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do thabhairt teidliocht d'fhostaithe chun socrúithe oibre solúbtha áirithe a iarraidh; do dhéanamh foráil áirithe chun aon socrúithe den sórt sin arna gcomhaontú le fostóir a leasú nó a fhoirceannadh; do thabhairt tuilleadh éifeachta do Threoir (AE) 2019/1158 ó Pharlaimint na hEorpa agus ón gComhairle an 20 Meitheamh 2019 maidir le cothromaíocht oibre is saoil do thuismitheoirí agus do chúramóirí; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

An Teachta Sinéad Ní Ghibne a thug isteach,
7 Bealtaine, 2026

Work Life Balance Bill 2026

BILL

(as initiated)

entitled

An Act to provide an entitlement to employees to request certain flexible working arrangements, to make certain provision for amending or terminating any such arrangements that have been agreed with an employer, to give further effect to Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and to provide for related matters.

Introduced by Deputy Sinéad Gibney,
7th May, 2026

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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FOILSEACHÁIN RIALTAIS,
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