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**An Bille Caidrimh Thionscail (Leasú), 2018**  
**Industrial Relations (Amendment) Bill 2018**

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*Meabhrán Mínitheach*  
*Explanatory Memorandum*

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**AN BILLE CAIDRIMH THIONSCAIL (LEASÚ), 2018  
INDUSTRIAL RELATIONS (AMENDMENT) BILL 2018**

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**EXPLANATORY MEMORANDUM**

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**Purpose of the Bill**

The main purpose of the Bill is to facilitate access to the Workplace Relations Commission (WRC) and the Labour Court by members of the garda force to assist in the resolution of industrial disputes. The Bill when enacted will allow members of An Garda Síochána to avail of the broad suite of services including mediation, conciliation and adjudication, of the WRC and ultimately the services of the Labour Court in the event of industrial relations disputes involving members arising.

**Provisions of Bill**

*Section 1* provides for the insertion of a number of definitions in the Principal Act i.e. the Industrial Relations Act 1990.

*Section 2* provides for the amendment of Section 3 of the Industrial Relations Act 1990 to include definitions of “member” of the Garda Síochána, “Garda Síochána” and “Garda Commissioner”.

*Section 3* provides for the amendment of Section 23 of the Industrial Relations Act 1990, which deals with the definition of a number of terms used generally in the context of Industrial Relations legislation i.e. definition of “worker” which in normal course constitutes a person over the age of 15 who has entered into or works under a contract with an employer. In the context of this Bill and the untypical nature of the employment relationship for members of An Garda Síochána, the Bill provides that a worker includes a member of the Garda Síochána, that a reference to employer means the Garda Commissioner and, a reference to a contract with an employer is covered by the particular terms and conditions to which members of An Garda Síochána are subject.

*Section 4* sets out the provisions of the various Industrial Relations enactments that are being actively disappplied in the context of this Act. These provisions will form a new Schedule to be included in the Principal Act of 1990 and will include provisions relating to provisions of Trade Union law as well as provisions around the right to collectively bargain under sectoral employment instruments such as Employment Regulation Orders, Sectoral Employment Orders etc.

*Section 5* relates to the short title, collective citation and commencement.

*An Roinn Gnó, Fiontar agus Nuálaíochta  
Iúil, 2018.*

Wt. —. 330. 7/18. Essentra. (73386). Gr. 30-15.