



STATUTORY INSTRUMENTS.

S.I. No. 29 of 2024

JOINT LABOUR COMMITTEES (STATUTORY REVIEW) ORDER 2024

JOINT LABOUR COMMITTEES (STATUTORY REVIEW) ORDER 2024

Whereas I, NEALE RICHMOND, Minister of State at the Department of Enterprise, Trade and Employment, being in receipt of a recommendation from the Labour Court under subsection (5) of section 41A (inserted by section 11 of the Industrial Relations (Amendment) Act 2012 (No. 32 of 2012)) of the Industrial Relations Act 1946 (No. 26 of 1946), being satisfied having regard to the aforesaid recommendation from the Labour Court that subsection (3) of Section 41A has been complied with, and considering it appropriate to do so:

NOW, I, NEALE RICHMOND, in exercise of the powers conferred on me by subsection (6) of Section 41A (inserted by section 11 of the Industrial Relations (Amendment) Act 2012 (No. 32 of 2012)) of the Industrial Relations Act 1946 (No. 26 of 1946) (as adapted by the Business, Enterprise and Innovation (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 519 of 2020)) and the Enterprise, Trade and Employment (Delegation of Ministerial Functions) Order 2023 (S.I. No. 14 of 2023) hereby make the following Order:

1. This Order may be cited as the Joint Labour Committees (Statutory Review) Order 2024.

2. This Order confirms the terms of the Labour Court's recommendations made on 12 April 2023 set out in the Schedule hereto and the maintenance of the establishment of the following listed Joint Labour Committees in their current form:

- (a) Agricultural Workers Joint Labour Committee (S.I. No. 198/1976);
- (b) Catering Joint Labour Committee (S.I. No. 591/2018);
- (c) Contract Cleaning Joint Labour Committee (S.I. No. 626/2007, as amended by S.I. No. 25/2014);
- (d) Hairdressing Joint Labour Committee (S.I. No. 212/1964, as amended by S.I. No. 26/2014);
- (e) Hotels Joint Labour Committee (S.I. No. 81/1965, as amended by S.I. No 28/2014);
- (f) Retail, Grocery and Allied Trades Joint Labour Committee (S.I. No. 58/1991);
- (g) Security Industry Joint Labour Committee (S.I. No. 377/1998, as amended by S.I. No. 30/2014);

- (h) Early Years' Service Joint Labour Committee (S.I. No. 292/2021);
- (i) English Language Schools Joint Labour Committee (S.I. No. 24/2020)

Schedule

Recommendations to the Minister of State at the Department of Enterprise, Trade and Employment in accordance with Section 41(A)(4) of the Industrial Relations Act, 1946

1. Agricultural Workers JLC;

The Court, having had regard to the matters set out in the Act at Section 41(A)(3) and noting the submissions of the parties, recommends that the Joint Labour Committee be maintained in its current form. In making this recommendation the Court notes the assertions of the parties in their submissions that the sector has enjoyed harmonious industrial relations in the period since the last review and during which time the JLC has been in existence. The Court also notes the submission of ICTU that a consequence of abolition would be a more aggressive strategy by the unions in seeking to advance the terms and conditions of their members on an employer-by-employer basis. The Court takes account also of the LEEF observations regarding future engagement in JLCs for the purpose of promoting harmonious relations. Consequently, the Court is satisfied that the maintenance of the JLC in its current form would promote harmonious relations between workers and employers and assist in the avoidance of industrial unrest.

2. Catering;

The Court has had regard to the matters set out in the Act at Section 41(A)(3) and noting the submissions of the parties, recommends that the Joint Labour Committee be maintained in its current form. In making this recommendation the Court notes the assertions of the parties in their submissions that the sector has enjoyed harmonious industrial relations in the period since the last review and during which time the JLC has been in existence. The Court also notes the submission of ICTU that a consequence of abolition would be a more aggressive strategy by the unions in seeking to advance the terms and conditions of their members on an employer-by-employer basis. The Court takes account also of the LEEF observations regarding future engagement in JLCs for the purpose of promoting harmonious relations. Consequently, the Court is satisfied that the maintenance of the JLC in its current form would promote harmonious relations between workers and employers and assist in the avoidance of industrial unrest.

3. Contract Cleaning;

The Court, having had regard to the matters set out in the Act at Section 41(A)(3) and noting the submissions of the parties, recommends that the Joint Labour Committee be maintained in its current form. In making this recommendation the Court notes the assertions of the parties in their submissions that the sector has enjoyed harmonious industrial relations in the period since the last review and during which time the JLC has been in existence. The Court also notes the submission of ICTU that a consequence of abolition would be a more aggressive strategy by the unions in seeking to

advance the terms and conditions of their members on an employer-by-employer basis. The Court takes account also of the LEEF observations regarding future engagement in JLCs for the purpose of promoting harmonious relations. Consequently, the Court is satisfied that the maintenance of the JLC in its current form would promote harmonious relations between workers and employers and assist in the avoidance of industrial unrest.

4. Hairdressing;

The Court, having had regard to the matters set out in the Act at Section 41(A)(3) and noting the submissions of the parties, recommends that the Joint Labour Committee be maintained in its current form. In making this recommendation the Court notes the assertions of the parties in their submissions that the sector has enjoyed harmonious industrial relations in the period since the last review and during which time the JLC has been in existence. The Court also notes the submission of ICTU that a consequence of abolition would be a more aggressive strategy by the unions in seeking to advance the terms and conditions of their members on an employer-by-employer basis. The Court takes account also of the LEEF observations regarding future engagement in JLCs for the purpose of promoting harmonious relations. Consequently, the Court is satisfied that the maintenance of the JLC in its current form would promote harmonious relations between workers and employers and assist in the avoidance of industrial unrest.

5. Hotels;

The Court, having had regard to the matters set out in the Act at Section 41(A)(3) and noting the submissions of the parties, recommends that the Joint Labour Committee be maintained in its current form. In making this recommendation the Court notes the assertions of the parties in their submissions in that both ICTU and SIPTU note that the sector has enjoyed harmonious industrial relations in the period since the last review and during which time the JLC has been in existence. In their submission the IHF state that there are no objective grounds to support the contention that the JLC in any way promotes harmonious industrial relations. The Court also notes the submission of ICTU that a consequence of abolition would be a more aggressive strategy by the unions in seeking to advance the terms and conditions of their members on an employer-by-employer basis. The Court takes account also of the LEEF observations regarding future engagement in JLCs for the purpose of promoting harmonious relations. Noting these views, the Court is satisfied that the maintenance of the JLC in its current form would promote harmonious relations between workers and employers and assist in the avoidance of industrial unrest.

6. Retail, Grocery and Allied Trades;

The Court, having had regard to the matters set out in the Act at Section 41(A)(3) and noting the submissions of the parties, recommends that the Joint Labour Committee be maintained in its current form. In making this

recommendation the Court notes the assertions of the parties in their submissions that the sector has enjoyed harmonious industrial relations in the period since the last review and during which time the JLC has been in existence. The Court also notes the submission of ICTU that a consequence of abolition would be a more aggressive strategy by the unions in seeking to advance the terms and conditions of their members on an employer-by-employer basis. The Court takes account also of the LEEF observations regarding future engagement in JLCs for the purpose of promoting harmonious relations. Consequently, the Court is satisfied that the maintenance of the JLC in its current form would promote harmonious relations between workers and employers and assist in the avoidance of industrial unrest.

7. Security Industry;

The Court, having had regard to the matters set out in the Act at Section 41(A)(3) and noting the submissions of the parties, recommends that the Joint Labour Committee be maintained in its current form. In making this recommendation the Court notes the assertions of the parties in their submissions that the sector has enjoyed harmonious industrial relations in the period since the last review and during which time the JLC has been in existence. The Court also notes the submission of ICTU that a consequence of abolition would be a more aggressive strategy by the unions in seeking to advance the terms and conditions of their members on an employer-by-employer basis. The Court takes account also of the LEEF observations regarding future engagement in JLCs for the purpose of promoting harmonious relations. The Court received ten submissions regarding this sector, including submissions from both employers and unions operating in the sector. Every single submission received was supportive of the retention of the JLC and many were quite specific in declaring this support on the basis that the existence of the JLC promotes harmonious relations between employers and employees in the sector. Consequently, the Court is satisfied that the maintenance of the JLC in its current form would promote harmonious relations between workers and employers and assist in the avoidance of industrial unrest.

8. Early Years' Service;

The Court, having had regard to the matters set out in the Act at Section 41(A)(3) and noting the submissions of the parties, recommends that the Joint Labour Committee be maintained in its current form. In making this recommendation the Court notes the assertions of the parties in their submissions that the sector has enjoyed harmonious industrial relations in the period since the JLC was established. The Court also notes the submission of ICTU that a consequence of abolition would be a more aggressive strategy by the unions in seeking to advance the terms and conditions of their members on an employer-by-employer basis. The Court takes account also of the LEEF observations regarding future engagement in JLCs for the purpose of promoting harmonious relations. Consequently, the Court is satisfied that the maintenance of the JLC in its current form would promote harmonious

relations between workers and employers and assist in the avoidance of industrial unrest.

9. English Language Schools.

The Court, having had regard to the matters set out in the Act at Section 41(A)(3) and noting the submissions of the parties, recommends that the Joint Labour Committee be maintained in its current form. In making this recommendation the Court notes the assertions of the parties in their submissions that the sector has enjoyed harmonious industrial relations in the period since the JLC was established. The Court also notes the submission of ICTU that a consequence of abolition would be a more aggressive strategy by the unions in seeking to advance the terms and conditions of their members on an employer-by-employer basis. The Court takes account also of the LEEF observations regarding future engagement in JLCs for the purpose of promoting harmonious relations. Consequently, the Court is satisfied that the maintenance of the JLC in its current form would promote harmonious relations between workers and employers and assist in the avoidance of industrial unrest.

GIVEN under my hand,
23 January 2024

NEALE RICHMOND,
Minister of State at the Department of Enterprise, Trade and
Employment

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