



STATUTORY INSTRUMENTS.

S.I. No. 292 of 2021

EARLY YEARS' SERVICE JOINT LABOUR COMMITTEE
ESTABLISHMENT ORDER, 2021

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ESTABLISHMENT ORDER, 2021

WHEREAS I, DAMIEN ENGLISH, Minister of State for Business, Employment and Retail, being in receipt of a recommendation from the Labour Court in accordance with sub-section (2) of Section 39 of the Industrial Relations Act, 1946; and being satisfied having regard to the recommendation referred to in subsection (2) of that section that the provisions of sub-section (1) of Section 39 of the Industrial Relations Act, 1946, have been complied with:

NOW I, DAMIEN ENGLISH, in exercise of the powers conferred upon me by subsection (3) of Section 39 of the Industrial Relations Act, 1946 (as adapted by the Enterprise, Trade and Innovation (Alteration of Name of Department and Title of Minister) Order 2020 and the Enterprise, Trade and Employment (Delegation of Ministerial functions) Order 2020) hereby make the following order which, pursuant to subsection (6) of Section 39 of the Industrial Relations Act, 1946, will be laid before each House of the Oireachtas.:.

1. The Committee established by this Order may be known as the Early Years' Service Joint Labour Committee.
2. This Order may be known as the Early Years' Service Joint Labour Committee Establishment Order, 2021.
3. This Order shall come into operation on the 1 July 2021.
4. This Order confirms the terms of the recommendation set out in the Schedule.

SCHEDULE

The sector

The sector comprises any Early Years' Service that provides:

any pre-school, play group, day nursery, crèche, day-care or other similar service providing service to children who have not attained the age of 6 years and who are not attending a recognised school within the meaning of the Child Care Act 1991

And

any early years' service, play group, day nursery, crèche, day-care or other similar service which caters for children under the age of 15 years enrolled in a school providing primary or post-primary education and which provides a range of activities that are developmental, educational and recreational in manner outside of school hours and the primary purpose of which is to care for children where their parents are unavailable, and the basis for access to which service is made publicly known to the parents and guardians of the children but excluding services solely providing activities relating to the Arts, youth work, competitive or recreational sport, tuition, religious teaching.

The sector does not include the care of one or more children undertaken by a relative of the child or children or the spouse of such relative; a person taking care of one or more children of the same family and no other such children (other than the person's own children) in that person's home or a person taking care of not more than 6 children, of which not more than 3 are pre-school children, of different families (other than the person's own such children) at the same time in that person's home.

Workers in the sector to whom the Order applies

Workers in the sector who are wholly or mainly in direct contact with children and who are involved in the education and/or care of children, and managerial and supervisory workers.

GIVEN under my hand,
21 June 2021

DAMIEN ENGLISH,
Minister of State at the Department of Enterprise,
Trade and Employment.

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