

IR referrals down, rights cases to Labour Court increase in 2024

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The Labour Court's 2024 annual report records a decline in the proportion of IR cases it handled on the previous year, bringing the ratio of employment law to IR cases back to what has been the norm over the last decade or so.

Rights cases amounted to 79% of all cases coming into the Labour Court in 2024, a 12% increase on 2023.

There were notable increases in appeals under the Protected Disclosures Act (180% increase), the Fixed-Term Work Act (100%), the Payment of Wages Act (42%) and the Organisation of Working Time Act (53%). Unfair Dismissals and Safety, Health and Welfare at Work Act referrals were down 22% and 47% respectively.

Cases referred under Industrial Relations legislation, both collective and individual referrals, decreased by around one-third overall, from 353 to 234. Appeals of WRC adjudicator recommendations, s.13(9) referrals, decreased from 151 to 107, while referrals under s.20(1) of the 1969 Act decreased from 99 to 57.

While referrals were down, the number of IR cases completed in 2024 represented an increase on the previous year.

The Court also completed more rights cases in 2024 as well, despite having one less division than in previous years. The report notes that the Court will continue to operate with three divisions rather than four “for the time being.”

“Replacement of the fourth division will be undertaken if required to ensure that the Court continues to be adequately resourced to discharge its statutory functions without unreasonable delay arising in the disposal of appeals and referrals”.

COURT CHANGES

It is noted in the annual report that 311 postponements were granted during 2024. The Court says that a “significant proportion of requests for postponement of scheduled hearings comes not from availability of the disputing parties themselves but from their representatives seeking to have the Court’s programme amended and adjusted by reference to the schedule of work or programme of other activities of the representative.”

A total of 276 cases were withdrawn, with 261 of those withdrawals relating to cases which had been scheduled for hearing.

“Such withdrawals, particularly when occurring shortly before the scheduled date and time of hearing, impacted significantly on the capacity of the Court to effectively manage its resources in terms of allocation of Court room hearing time”, the report states.

Three people left the Labour Court in 2024: Employer member Peter Murphy; Worker Member Linda Tanham; and Registrar Jacqui Kelly. Teresa Hannick joined as a Worker Member.

Earlier this year, Kevin Foley retired as Court Chairman with Louise O'Donnell becoming Chairman of the Court.

There is now a Deputy Chairman vacancy, for which the advertisement has yet to be promoted via the Public Appointment Service. DETE has said this will be run “in due course”. The Registrar position has yet to be formally filled, having been advertised at the end of 2024/start of 2025.

Worker and employer members are still nominated by ICTU and Ibec respectively.