

**AN BILLE UM CHOMHLÍONADH AN DLÍ FOSTAÍOCHTA 2008**  
**EMPLOYMENT LAW COMPLIANCE BILL 2008 – AS INITIATED, MARCH**  
**2008**

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**Purpose of Bill**

The purpose of the Bill is to secure better compliance with employment legislation in accordance with provisions of PART 2 – Sections 11 to 16 of “**TOWARDS 2016**” - the 10-year Framework Social Partnership Agreement 2006-2015.

The main provisions of this Bill are-

- to establish a new statutory office of the Director of the National Employment Rights Authority (within the Department of Enterprise, Trade and Employment), dedicated to employment rights compliance, and with a tripartite Advisory Board;
- to strengthen inspection and enforcement powers and make other necessary provisions to secure compliance with employment legislation (including protection against penalisation of employees who claim their entitlements or redress where they are denied, or who *bona fide* report breaches of employment legislation to the Director, etc) in line with “state-of-the-art” provisions in Revenue, Social Welfare, Consumer Protection, etc., legislation;
- to specify the statutory employment records to be kept by employers for all employees and the high penalties for failure to do so or for other breaches of employment legislation;
- to foster increased co-operation at workplace level so as to safeguard employment rights;
- to support and enhance monitoring and inspection activity in relation to compliance with the Registered Employment Agreement in the electrical contracting industry;
- to provide for exchanges of information between statutory enforcement authorities so as to facilitate Joint Investigations of employment suspected of contravening the law;
- to strengthen the powers of the Minister for Enterprise, Trade and Employment to initiate investigations and publish the outcomes in cases of public interest;
- to provide for involvement of labour inspectors, for the first time, in the enforcement of provisions of the Employment Permits Acts 2003 and 2006 and to strengthen those Acts as regards records and other obligations of employers.

The Bill comprises 8 Parts (66 sections) and 5 Schedules. Additional amendments to further enactments (to be included in Schedule 5 to the Bill) will be tabled by the Minister for Enterprise, Trade and Employment for consideration by the Houses of the Oireachtas.