

## Ireland's Labour Court moves towards greater accessibility in its new 2024 rules

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On 29 January 2024, the Labour Court Rules (the "Rules") were updated which revoke the 2022 rules. The Labour Court updates its rules and regulations on a biannual basis. We have provided a summary of the key changes introduced by the Rules below.

### Key changes

#### New Labour Court Portal

In line with the Labour Court's efforts to digitise its systems, appeals can now be submitted via the [Labour Court Portal](#). Appeals can also still be made via email and post. Appellants should be aware that an appeal made using the Labour Court Portal, should provide the same information as requested in the appeal form. The portal can also be used to submit Complaints under the Industrial Relations legislation.

#### Correspondence address

The parties to a claim shall be notified of the time and place of a hearing at the correspondence address notified to the court, rather than the permanent address notified to the court. The court may at its discretion, require both parties to attend a case management conference before a date has been set for hearing in advance of the commencement of the hearing.

#### Emphasis on conduct and behaviour

The Rules emphasise the importance of respecting the courtroom setting. For both in person and virtual hearings, all mobile phones and other devices should be switched off unless there is express permission from the court directing otherwise.

#### Industrial Relations Cases

Under part IV of the Rules (Industrial Relations Cases), the court will now accept appeals in writing via email and through the Labour Court portal. Similarly, referrals under section 20(1) of the Industrial Relations Act 1969 will be made using the Labour Court Forms which can be found [online here](#), as well as through the Labour Court Portal also.

Previously, parties to a claim were required to submit six copies of their written submissions. Now, four hard copies and one soft copy are required. The timeline by which submissions are to be exchanged between the parties has not changed. This is at least ten days before the date of the hearing is scheduled to take place.

## Virtual Courtrooms, use of live video links (LVLs) and hybrid hearings

Keeping in line with the court's move towards digitisation, the Rules now contain a section regarding virtual hearings and the use of LVL technology. This technology may only be used at the Labour Court in Lansdowne House, Dublin. The objective of this technology is to reduce unnecessary travel and to save on costs without compromising on constitutionality and legal rights of the parties.

The court reserves at all times the right to require in person attendance in any particular case. Applications to hear evidence via LVL should be made to the court in writing no later than 14 days prior to the scheduled hearing.

Prior to the hearing, if LVL has been approved, the witness/party may participate in any test calls to the remote location, provide the court secretary with any necessary technical information in relation to the remote location, and ensure that the witness at the remote location is provided with all necessary documentation. If the application is approved, then the witness will be considered present at the hearing, equal to someone attending in person.

## Adoption of gender inclusive pronouns

Furthermore, the Rules have adopted more inclusive language such as removing "he/she" pronouns and replacing them with "they/them".

## **Conclusion**

The use of inclusive language is an important milestone in recognising all members of society, as well as providing for virtual hearings and more accessibility to the Labour Court. The Rules have been further adapted to keep up with the modern digital world with the introduction of the new Labour Court Portal.

In that regard, the Labour Court has also advised that it is undergoing a digitisation process which will allow it to accept submissions electronically. The court will announce when this

process is complete and at that stage, providing physical copies of submissions may no longer be necessary which will lessen the administrative burden in preparing for hearings.

*For further information on the Labour Court Rules 2024 and/or advice regarding WRC or Labour Court hearings, please contact Bláthnaid Evans or Marianne Norton via their details below.*

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