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# Work Life Balance and Miscellaneous Provisions Bill 2022



**The Work Life Balance and Miscellaneous Provisions Bill (the “Work Life Bill”) aims to increase participation of women in the labour market, as well as the up-take in family related leave.**

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## **Work Life Balance v Right to Request Remote Working:**

The Work Life Bill is similar to the Right to Request Remote Working Bill (the “Remote Working Bill”), in that it allows for employees to submit requests to their employer for changes to their working arrangements. While both of these Bills are indicative of a move towards more flexible arrangements that should improve employees’ working lives, they have come into being from different contexts and each has a specific purpose.

The Remote Working Bill has largely resulted from the Covid-19 pandemic, during which many employers had no option but to facilitate remote work during lockdowns and for public health reasons. The Bill has been informed by the evident benefits of remote working, as well as a public consultation undertaken in April 2021 with employer and employee representative groups. It provides employees with a statutory right to request a remote working arrangement, and requires employers to have a Remote Working Policy in line with a proposed Code of Practice. By contrast, the purpose of the Work Life Bill is to give effect to the EU Work Life Balance Directive, and to balance parents’ and carers’ roles with employers’ responsibilities. This transposition of EU law into Irish law has a deadline of August 2022.

## **What does the Work Life Bill provide?**

The Work Life Bill allows for the *‘right to request flexible working arrangements for caring purposes’* (as well as the right to request compressed or reduced hours). The right is extended to parents of children up to the age of 12, as well as those caring for relatives.

The Work Life Bill will also introduce a new period of unpaid leave *‘for medical care purposes’*. This provides up to 5 days unpaid leave per year per employee (an addition to existing entitlements under the Carer’s Leave Act, 2001) where the employee is required to give significant *‘personal care or support’* to a family member/ person for whom they have responsibility.

The Bill will also provide for the extension of calculable breastfeeding breaks for women who are back at work. This would allow for a parent in employment who is breastfeeding to take one paid hour off work each day as a breastfeeding break for up to 104 weeks post birth, a significant increase from the current entitlement up to 26 weeks post birth.

There are now provisions for transgender men, who have obtained statutory gender recognition certificates and subsequently become pregnant, to fall within the remit of the Maternity Protection Act, 1994.

The Work Life Bill also corrects some anomalies in the Adoptive Leave Act 1995, and the Children and Family Relationships Act 2015. It amends the Unfair Dismissals Act 1977 to specify that any dismissal based on an employee exercising their right of leave for medical care purposes, or right to request flexible working arrangements for caring purposes, shall be deemed unfair.

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