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The Reconstruction of Workplace Conflict Resolution: The Road to the Workplace Relations Commission in Ireland

William K. Roche, Paul Teague and Denise Currie (Routledge, 2025, ISBN 978-10-3285-017-7 (hardback), 978-10-0352-005-4 (eBook), 196 pp.)

This book provides a thorough examination of the evolution of workplace conflict resolution in Ireland, culminating in the establishment of the Workplace Relations Commission (WRC). The book's meticulous research and historical context shed light on the complexities of Irish industrial relations and key stakeholders involved.

Written by three of Ireland's leading scholars in industrial relations and human resource management, the book benefits from the authors' combination of academic rigour and in-depth understanding of the policy landscape. It is aimed at academics, policymakers and practitioners, and is essential reading for anyone seeking to understand the complexities of industrial relations and the conflict resolution machinery of the WRC.

Prior to 2015, industrial conflict in Ireland was managed through a complex set of historic institutions, rather than deliberate design. For example, an employee pursuing an unfair dismissal claim involving an equality issue might have been required to navigate three or four separate bodies (the Rights Commissioner, the Equality Tribunal, the Employment Appeals Tribunal (EAT), and potentially, the Labour Court), involving duplication and costly delays in order to access justice.

The book's primary strength lies in its robust methodology and analytical framework. Drawing on detailed primary research, including various government reports, internal planning and review documents, key stakeholder interviews with senior civil servants, political actors and social partnership leaders (trade unions and

employers), as well as legislative drafts that preceded the 2015 Act. The analysis and inclusion of a wide array of documentary and narrative evidence, detailed comparative data and grounded in primary sources, makes this book a valuable resource for researchers examining in detail the roadmap reforming the institutions of industrial conflict in Ireland.

The detailed overview of the case for reform provides the foundation for understanding the significance of the WRC. The qualitative data drawn from key stakeholder interviews, including senior civil servants, trade union leaders and employer representatives, providing in-depth insights into the reform process, strategic thinking, political compromises and the genuine ideological clashes that shaped the final legislation of 2015. For example, the discussion around the decision to merge the conciliation and adjudication functions of the old system into a single body reflects an important debate on the nature of conflict resolution. The integration of qualitative data together with quantitative data on case volumes, backlogs and costs presents a complex multilayered analysis.

The scholarly contribution of the book is, firstly, it provides a definitive historical account of Ireland's WRC reform. Secondly, it offers a robust theoretical framework for understanding institutional change, and, thirdly, it enriches the literature on industrial conflict resolution by detailing the evolution of a model that bridges the divide between individual statutory rights and collective industrial disputes.

The book addresses a number of themes, covering:

- the crisis in legacy institutions and the drivers of reform
- the legislative and organisational processes involved from the establishment of the Labour Court to the WRC
- the WRC's structure, mandates and operational outcomes
- comparative insights from other countries' experiences
- stakeholder perspectives – trade unions, employers and public officials.

The research approach includes historical accounts, policy analysis, case studies and some comparative international material to show how Ireland's model of reform aligns with and sometimes diverges from broader trends toward liberal market-based reform.

The book's analysis offers a sharp and balanced critique of the reform process. The analysis, while generally supportive of the establishment of the WRC, highlights the political compromises and

potential challenges. For example, the contentious decision to abolish the EAT and replace it with a single-tier adjudication system, was a decision that attracted significant criticism from legal professionals and some trade unions.

The publication encompasses eight chapters as follows:

Chapter one documents the pre-2015 landscape of Irish industrial conflict resolution. The extensive use of data exposes the problems of jurisdictional overlaps and procedural inconsistencies. This chapter shows how the problem of fragmentation evolved to become a systemic source of inefficiency.

Chapter two traces the evolution and political foundations of voluntarism and conflict resolution in Ireland, from 'before the state was founded' to the establishment of the Labour Court in 1946, which became the 'cornerstone of Irish voluntarist dispute resolution for nearly five decades'. Subsequent reform proposals would lead to the establishment of the Labour Relations Commission (LRC) in 1990 and the Workplace Relations Commission in 2015.

This chapter could have been further enhanced by a critical appraisal of the increasing role of the law and the challenge to voluntarism and the voluntary principle in Irish industrial relations.

Chapter three provides a historical analysis of the evolution, achievements and shortcomings of the Labour Relations Commission, established in 1990, which was the first major reconfiguration of dispute resolution machinery since the establishment of the Labour Court in 1946, and notes that ironically in the decades that followed the creation of the LRC, industrial conflict and the demand for the collective conciliation service of the LRC entered a phase of 'long-run decline', while at the same time, the grievance resolution and adjudication services of the Rights Commissioners expanded. The chapter concludes by noting that the LRC's reforms contributed to the growing fragmentation of conflict resolution and the multiple agencies with increasingly expansive and overlapping jurisdictions, paving the way for the WRC.

Chapter four analyses the creation of the WRC in 2015 in response to the growing fragmentation of the state's institutions for the resolution of industrial conflict. Drawing on qualitative and quantitative data to explore the key decisions made and outcomes during the drafting of the Workplace Relations Act 2015, including the contentious decision to merge the conciliation and adjudication functions of the old system.

While the chapter provides detailed insight into diverging views of

key stakeholders with a focus on official/managerial perspectives, it excludes the lived experience of WRC front-line users. In addition, greater analysis of recent major High Court and Supreme Court decisions impacting on the work of the WRC could have enhanced this chapter, while revisiting the debate on the role of the voluntary principle in Irish industrial relations.

Chapter five provides a balanced assessment of the WRC's first few years in operation, in the context of the expansion of employment rights, growing workforce diversity, the fragmentation of grievance resolution and the global financial crisis, austerity and pressure for public sector reform. The initial challenges are identified, for example, the logistics of merging disparate workforces and the public's adjustment to a single point of entry for all disputes, and the contentious issue of abolishing the EAT and the implications of replacing it with a single-tier adjudication system. Various reviews had identified the need for change, but as noted in Chapter five, these were met with inertia as each agency 'protected its own patch'. It took the global financial crisis and accompanying fiscal crisis to drive the case of public service reform and the consolidation of public service agencies.

Chapter six maps key organisational and cultural shifts in conflict resolution, noting the merging in Ireland of five independent agencies dealing with industrial conflict into a multi-purpose professional agency. The WRC was created to address two problems: the fragmentation of workplace conflict resolution service delivery; and the lack of alignment of the public policy regime for workplace conflict resolution with the emerging individualised nature of contemporary employment problems. The chapter concludes that the WRC is now functioning as a multi-purpose agency, while operating as a cohesive, single agency. However, a note of caution is stressed in the chapter stating that this transition in no way guarantees that the work of the WRC will be smooth and problem-free.

Chapter seven discusses the impact of the Covid-19 pandemic on dispute resolution, including the introduction of digital hearings and remote mediation. The chapter concludes that the WRC did not see the pandemic as causing a long-term shift to digital technology for conflict resolution nor would the pandemic result in increased remote working at the WRC.

Chapter eight summarises the main findings of the book and highlights the key insights arising from the analysis, and examines the key strategic challenges faced by the WRC. The chapter references

Ireland's reform legacy in contrast with other Anglo-American countries (e.g. United States of America, United Kingdom, Australia, New Zealand and Canada). The chapter concludes with current strategic challenges, including: the juridification of adjudication, citing the Supreme Court decision in the Zalewski case. The chapter notes the danger of growing juridification for the WRC noting that 'legal formalities will squeeze out the soft, problem-solving dimension of adjudication and allow the legalistic mentality of allowing people to *have their day at court*'. This chapter has missed an opportunity to revisit the voluntary principle in the context of recent High Court and Supreme Court findings and the impact on Irish industrial relations.

The Reconstruction of Workplace Conflict Resolution: The Road to the Workplace Relations Commission in Ireland is an authoritative and significant academic text for anyone seeking to understand the institutional history of Irish industrial relations. Some further topics that might have been considered for inclusion are:

- an expanded methodology to include the lived experience of the WRC users
- an expanded discussion on the voluntary principle and the juridification debate
- a discussion on the role of WRC Adjudication Officers in a rapidly evolving legislative landscape
- an expanded discussion incorporating European industrial relations models as the book is quite Ireland-centric.

However, it is acknowledged that these areas may have been beyond the scope of the current publication. Overall, the authors have produced a text of major academic value to scholars, students and industrial relations practitioners. This book is destined to become the foundational reference for the study of Irish industrial relations for decades to come.

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