

McGinty teams up with ex-Ibec DG at 'Resolve Ireland'

BRIAN SHEEHAN

Resolve Ireland, the recently established HR consultancy headed up by Turlough O'Sullivan, the former director general of Ibec, has announced that Brendan McGinty - the former Director of IR & HR at the employers' confederation - has joined the board of the new company.

Brendan McGinty, with over 28 years of experience in the field of human resources and employee relations, is also the founder/director of 'Stratify Consulting', which he established in 2013 after departing Ibec. This business will continue as normal.

Resolve is also announcing the launch of what it says is "a comprehensive suite of services" to assist organisations in meeting their obligations under The Protected Disclosures Act 2014, which commenced on the July 15, 2014.

The legislation represents a new standard of international best practice for whistleblowing in Ireland and imposes significant obligations on employers. Public sector bodies must, as a mandatory obligation, put in place whistleblowing policies and it seen as advisable for private sector organisations to have effective policies in place.

(See 'Whistleblowing law to mean cultural shift for employers' in [IRN 28-2014](#)).

More generally, Resolve provides interventions such as mediation, investigation and arbitration and a range of Alternative Dispute Resolution (ADR) services. It also operates an 'expert panel' of members, which it says have the "widest experience in problem solving at national, sector and enterprise levels in both the private and public sectors".

Resolve has also said it is targeting union and non-union firms, and has promised to work with the LRC and Labour Court "and not circumvent or compete with them".

NATIONAL ROLE

Mr O'Sullivan's two key partners are Brendan McCarthy and Liam Doherty, whose have their own consultancy, Ask HR Solutions.

In Ibec, Brendan McGinty represented employers at all levels, including national negotiations with government and the ICTU, lobbying on many issues and helping to frame legislation with government departments. He played a central role – as did Turlough O'Sullivan - in the resolution and avoidance of numerous sensitive national disputes, both as a member of the former National Implementation Body (NIB) and on a more ad hoc basis.

Both O'Sullivan and McGinty worked from time to time with leading ICTU figures such as Kevin Duffy (before he became labour Court chairman) and later with David Begg, the current general secretary of Congress.

More recently, Mr McGinty became member of the 'Expert Panel' established by the social partners - Government, Ibec and ICTU - to find a resolution to the complex Irish Aviation Scheme (IAS) dispute.

PROTECTED DISCLOSURES 'OMBUDSMAN'

The new Protected Disclosures Act 2014 provides all workers with significantly enhanced protections, including the right to go to the Circuit Court to restrain any dismissal by the employer by means of Interim Relief and redress under the Unfair Dismissals Act. The latter has increased to up to 260 weeks remuneration where a worker claims that the dismissal is wholly or mainly resulting from a protected disclosure.

Aside from drafting a Protected Disclosures Policy, Resolve also offers to provide a "Protected Disclosures Ombudsman" to receive disclosures from employees, as well as managing "multiple disclosures" options; independent investigation of disclosures; independent investigation of allegations of penalisation or adverse treatment.

It says it will also offer training for disclosure recipients, and an annual report service to "Senior Leadership Team/Board".

Earlier this year, Turlough O'Sullivan told IRN that the new consultancy aims to provide a "confidential, discreet, responsive one-stop-shop that provides all the interventions necessary to address fractures in relationships at all levels in the workplace".

The idea of an in-company ombudsman service in relation to protected disclosure has also been mooted in the context of forthcoming collective bargaining legislation.

This could provide reassurance to workers – and their representatives – that these internal bodies will be afforded a sufficient degree of independence from an employer. To satisfy representativeness criteria, such an ombudsman could also, perhaps, act as a sort of guarantor.

