



An Roinn Fiontar,
Turasóireachta agus Fostaíochta
Department of Enterprise,
Tourism and Employment

Final Statement

Ireland National Contact Point under the OECD Guidelines for Multinational Enterprises

**Specific Instance Complaint from Building and
Woodworkers International Union Federation and Unite
the Union against Cathexis PR IV LLC and Jones
Engineering Group Limited**

As noted in the Ireland NCP’s Case Handling Procedures and the Procedural Guidance to the OECD Guidelines for Multinational Enterprises, following conclusion of a Specific Instance and after consultation with the parties involved, the NCP will make the results of the procedure publicly available.

As mediation took place but did not result in the issues being resolved, the NCP examined the issues raised and is issuing the following statement.

This statement describes the issues raised, the reasons why the NCP decided that the issues raised merited further examination, and the procedures initiated by the NCP to assist the parties. This statement also identifies recommendations made by the NCP to the Parties on the implementation of the Guidelines.

As specific instances are not legal cases and NCPs are not judicial bodies, NCPs cannot directly compel parties to participate in a conciliation or mediation process.

Contents

Executive Summary	
A. Submission and initial assessment	4
The parties	4
The complaint	4
Relevant provisions of the Guidelines	5
Initial assessment by the NCP	6
B. The proceedings of the NCP	7
C. Good offices process	9
D. Examination and conclusions	9
The Complainants’ submission	10
The Company’s submission	10
Recommendations	10

Executive Summary

- The complaint was submitted to the US and UK NCPs on 5th September 2024 and formally submitted to the Ireland NCP on 26th September 2024.
- The complaint was made by the Building and Woodworkers International Union Federation (BWI), a global trade union federation based in Geneva, together with its Irish affiliate Unite the Union (Unite), (hereinafter “the Complainants”). The complaint is against US-based Cathexis PR IV LLC (hereinafter “the Parent Company”), and its related group companies: Cathexis Holdings LP and “Group” Cathexis Ireland II Limited, Cathexis UK Holdings IV Limited (hereinafter “the Companies”), Jones Engineering Holdings Limited, H.A. O’Neil Limited, and subsidiaries operating in Ireland, (hereinafter “the Company”).
- The complaint was made in respect of Chapter V (Employment and Industrial Relations) and Chapter II (General Policies). The Complainants alleged that the acquisition by the Parent Company of the Company in 2022 has coincided with a change in industrial relations practices, primarily concerning trade union activity and alleged use of reprisals.
- In response, the Company refuted all allegations made in the complaint. They stated that they have a strong focus on environment, social and governance issues, that they recognise and engage with trade unions through Collective Bargaining Agreements, that they have not discriminated against any employee because of their trade union involvement.
- The Parent Company submitted no response and the Company stated that they are best placed to respond to the allegations.
- The relevant NCPs coordinated from the beginning and met multiple times to discuss which NCP would be best placed to lead on this complaint. It was agreed the Ireland NCP would be best placed to lead on this complaint as it was in the best position to assist the parties find a solution. The US NCP acted as supporting NCP.
- The Ireland NCP decided that the complaint merited further consideration and offered its good offices as an opportunity for the parties to address their differences of opinion regarding the issues raised in the complaint.
- The Complainants and the Company accepted the offer of good offices, and a mediator was appointed with agreement from the parties. An initial two days of mediation took place in December 2025. At the end of the second day of mediation, it was mutually agreed that mediation should be paused to give both parties an opportunity to consider their positions. The third and final day of mediation took place on 13 March 2026. The parties were unable to find a resolution to the issues raised in the complaint.
- As such, the Ireland NCP conducted an examination of the complaint, concluding with the issuance of a Final Statement.
- The Ireland NCP recommends the Parties build on the dialogue created in the NCP process through the Workplace Relations Commission, with MEBSCA to find a pathway forward. It will follow-up in one year to seek an update from the Parties.

A. Submission and initial assessment

The parties

1. The complaint was submitted by Building and Woodworkers International Union Federation (BWI) and its Irish affiliate Unite the Union (Unite). It was directed against the Parent Company and the Company.

The complaint

2. The Ireland NCP received the complaint on the 26th September 2024. The complaint was also submitted to the US and UK NCPs.
3. The Complainants alleged that the acquisition by the Parent Company of the Company in 2022 coincided with changes in industrial relations, specifically in respect of treatment of three senior employees who are the workers' elected shop stewards at the Company's operations in Leixlip, Kildare and Clondalkin, Ireland.
4. The Complainants argued that the Company acted inconsistently under the Guidelines and claimed they:
 - Failed to observe the Guidelines' provisions concerning the right of workers to join trade unions
 - Did not respect the right of workers to have their trade unions recognised for the purposes of collective bargaining, and the obligation to engage in constructive negotiation
 - Discriminated against employees due to their trade union activity
 - Failed to promote consultation and cooperation with workers and their representatives
 - Failed to observe standards of employment, contractual arrangements and industrial relations
 - Failed to observe the Guidelines' provisions concerning the use of reprisals.
5. The Complainants alleged that workers had been denied the right to form and join trade unions; that shop stewards were discriminated against due to their trade union activity, and that the Company "*retaliated against legitimate trade union activity*" with the use of court proceedings. In addition, the complaint alleged that the Company has not promoted consultation and cooperation with the workers' elected representative, nor has it honoured the established standards in national agreements.
6. The Complainants requested the withdrawal of the court proceedings against the union and the three workers, the reimbursement of legal costs for workers, the restoration of worker shifts and job duties to what they were before the industrial action. They also requested compliance with national construction sector agreements and the establishment of a framework to secure workers' rights in relation to trade union

activity. Finally, the Complainants requested that the NCP inform and update other government officials which may have an interest in due diligence on these issues

7. In response, the Company refuted all allegations made in the complaint. They stated that they have a strong focus on environment, social and governance issues, that they recognise and engage with trade unions through Collective Bargaining Agreements, that they have not discriminated against any employee because of their trade union involvement and that they *“formally recognise the role of trade unions, including their right to represent employees and their right to collective bargaining within the sector”*.
8. The Parent Company submitted no response to the complaint beyond that of its subsidiary, the Company.
9. The Company stated that they are best placed to respond to the allegations as the members of the union, who are the focus of the complaint and parallel proceedings, are employees of the Company, not the Parent Company. The Company also confirmed that the Parent Company does not have any role or responsibility for the day-to-day management of the Company.
10. The Complainants stated in their submission that it was their preference that the US NCP lead on the complaint, as the Parent Company is registered in the US and that the Ireland and UK NCPs would act as supporting NCPs.
11. The NCPs coordinated from the beginning and met multiple times to discuss which NCP would be best placed to lead on this complaint. Meetings were also held separately between the Ireland NCP and the Company, and the Ireland NCP, US NCP and the Complainants. In January 2025, the US and Ireland NCPs agreed the Ireland NCP would be best placed to lead on this complaint, with support from the US NCP.
12. The primary reason for this decision was based on the Guidelines which state *“Generally, the NCP of the country in which the issues have arisen would be the lead NCP”*. As the issues raised in the complaint took place in Ireland, which is also stated in the complaint, it was appropriate for the Ireland NCP to take the lead in this instance as it was in the best position to assist the parties find a solution and promote the effective implementation of the Guidelines.

Relevant provisions of the Guidelines

13. The complaint cited the following Chapters and paragraphs of the Guidelines:

Chapter II: General Policies

Enterprises should take fully into account established policies in the countries in which they operate, and consider the views of other stakeholders. In this regard:

A10: *Enterprises should “Refrain from and take steps to prevent the use of reprisals, including by entities with which the enterprise has a business relationship, against any persons or groups that may seek to or do investigate or raise concerns regarding actual or potential adverse impacts associated with the enterprise’s operations, products or services. This includes promoting an environment in which individuals and groups feel safe to raise concerns and, where relevant, contributing to the remediation of adverse impacts of reprisals when they occur”.*

Chapter V: Employment and Industrial Relations

Enterprises should, within the framework of applicable law, regulations and prevailing labour relations and employment practices and applicable international labour standards, avoiding any unlawful employment and industrial relations practices, and in line with due diligence expectations described in Chapters II and IV:

1(a): *“Respect the right of workers to establish or join trade unions and representative organisations of their own choosing, including by avoiding interfering with workers’ choice to establish or join a trade union or representative organisation of their own choosing.”*

1(b): *“Respect the right of workers to have trade unions and representative organisations of their own choosing recognised for the purpose of collective bargaining, and engage in constructive negotiations, either individually or through employers’ associations, with such representatives with a view to reaching agreements on terms and conditions of employment.”*

1(e): *“Be guided throughout their operations by the principle of equality of opportunity and treatment in employment and not discriminate against their workers with respect to employment or occupation on such grounds as race, colour, sex, age, religion, political opinion, national extraction or social origin, persons with disabilities or other status, unless selectivity concerning worker characteristics furthers established governmental policies which specifically promote greater equality of employment opportunity or relates to the inherent requirements of a job.”*

3: *“Promote consultation and co-operation between employers and workers and their representatives through legitimate processes, structures or mechanisms on matters of mutual concern.”*

4(a): *“Observe standards of employment, contractual arrangements and industrial relations throughout their operations.”*

Initial assessment by the NCP

14. The Ireland NCP issued its initial assessment of the complaint on 13th August 2025. This initial assessment was issued to the parties and published on the Ireland NCP website, available [here](#).

15. In light of the information received from both parties, the Ireland NCP decided that the complaint merited further consideration and believed that the offer of good offices was an opportunity for the parties to address their differences of opinion regarding the issues raised in the complaint.

B. The proceedings of the NCP

16. Since receipt of the complaint, the NCP has carried out the following actions:

<i>Initial Assessment</i>	
6 September 2024	Correspondence received from US NCP with notification of complaint
16 September 2024	VC held between US, UK and IE NCPs to discuss coordination of complaint.
26 September 2024	Complaint received by IE NCP from Complainants
21 October 2024	NCP forwarded complaint to the Company's Head of Human Resources
8 January 2025	IE NCP received email from US NCP stating that Parent Company has requested the IE NCP be the lead NCP for this case
24 January 2025	VC held between IE and US NCP where it was agreed that the IE NCP should take the lead in this case with the US NCP in support
24 January 2025	IE NCP emailed parties regarding decision on lead NCP, next steps, requesting VCs with the parties to discuss the process, and inviting submissions. Email shared US NCP who will inform US Company of the decision
27 January 2025	Email shared with UK NCP re decision on who will take the lead
11 February 2025	Information submitted by the Complainants to the IE NCP
27 February 2025	Information submitted by the Company to the IE NCP
23 May 2025	Draft Initial Assessment shared with US NCP
5 June 2025	The Company informed the IE NCP that the High Court proceedings had been terminated
20 June 2025	The IE NCP issued the draft Initial Assessment to the parties
4 July 2025	The IE NCP met the Complainants to discuss the draft Initial Assessment and next steps
4 July 2025	Comments regarding the draft Initial Assessment submitted by the Company to the IE NCP
23 July 2025	The IE NCP met the Company to discuss the draft Initial Assessment and next steps
23 July 2025	Updated draft Initial Assessment shared with the parties
5 August 2025	Correspondence received from parties relating to one paragraph in the updated Initial Assessment
13 August 2025	The IE NCP published Initial Assessment

<i>Good Offices/Examination</i>	
19 August 2025	IE NCP offered good offices to parties
22 August 2025	Parent Company confirms that they will not participate in mediation and that the matter will be dealt with by the Company
22 August – 17 September 2025	IE NCP notified by the Company of union activity
25 August 2025	Offer of good offices accepted by the Company
26 August 2025	Offer of good offices accepted by the Complainants
16 September 2025	IE NCP met Company to discuss the mediation process
17 September 2025	IE NCP notified parties of mediator following procurement process
18 & 19 September 2025	Parties accepted the selected mediator
19 September 2025	IE NCP met with Complainants to discuss the mediation process
19 September – 12 th December 2025	IE NCP notified by the Company of union activity
25 September 2025	Draft terms of reference shared with the parties
29 September 2025	IE NCP emailed the parties extending invitation to share confidential position papers with the mediator
13 October 2025	Updated terms of reference shared with the parties
28 October 2025	Further updated terms of reference shared with the parties
24 & 25 November 2025	Terms of reference signed by the parties
27 November 2025	IE NCP emailed the parties with final signed terms of reference and invited the parties to submit further information to the mediator to help inform and guide the mediation sessions
2 December 2025	Additional documents submitted by the Complainants to the NCP for the mediator's information
11 & 12 December 2025	Mediation sessions held
12 December 2025	Mediation adjourned until the 23 rd January 2026 when the parties will be invited to attend a further mediation session
21 & 23 January 2026	Parties agree to attend further mediation session
4 February – 11 March 2026	IE NCP notified by the Company of union activity
13 February 2026	IE NCP notified by the Complainants of alleged actions by the Company
16 February 2026	IE met with the Complainants to discuss next steps

2 March 2026	IE NCP emailed the parties to invite them to submit further information to the mediator
13 March 2026	Final mediation session held without resolution. Mediation concluded
<i>Final Statement</i>	
13 March 2026	IE NCP requested any additional submissions for consideration for the final statement
10 April 2026	Final submissions received from both parties
23 April 2026	VC with Complainants to discuss the complaint and Final Statement
12 August 2026	Ireland NCP issues draft Final Statement to parties
13 August 2026	Ireland NCP publishes Final Statement

C. Good offices process¹

17. In accordance with its complaint handling procedures, the Ireland NCP offered its good offices to assist the parties in resolving the issues by facilitating dialogue through mediation.
18. The Complainants and the Company accepted the offer of good offices. The Parent Company informed the NCP that they would not attend mediation and that the matter would be dealt with by the Company.
19. A mediator was appointed with agreement from the parties and an initial two days of mediation took place in December 2025. At the end of the second day of mediation, it was mutually agreed that mediation should be paused to give both parties an opportunity to consider their positions.
20. The third and final day of mediation took place on 13 March 2026. The parties were unable to find a resolution to the issues raised in the complaint.

D. Examination and conclusions

21. Following the conclusion of mediation without agreement, the Ireland NCP moved to an examination of the complaint to issue a Final Statement. The parties were informed and were provided the opportunity to provide any additional information they wished the NCP to consider at this stage of the process.

¹ As the mediation process is confidential, the Ireland NCP has provided limited information on this element of the process.

The Complainants' submission

22. The Complainants provided additional information for consideration by the NCP. This submission included testimonials from the three shop stewards who described negative experiences which they associate with the Company naming them in the legal process, including the impact it had on them.
23. The Complainants also provided examples of correspondence from union members employed by the Company, seeking employment with the Company, or sub-contractors regarding union membership. However, the Ireland NCP informed the Complainants that this information was beyond the scope of the original submission and would not be considered.

The Company's submission

24. The Company also provided additional material for consideration by the NCP. The Company restated that they reject all allegations raised against them in the complaint and included a summary of the responses from them to date during the specific instance process.
25. They also included:
 - a. A legal position paper from December 2025
 - b. An industrial relations review report from December 2025
 - c. A summary letter from the Contractors Administration Services (CAS) confirming the auditing of the Company compliance with National and Union specific pay agreements on numerous major FDI projects in the last three years
26. They restated they complied with sectoral agreements and that they demonstrated unconditional willingness to participate in the NCP process constructively and in good faith.

Recommendations

27. The Ireland NCP notes that the Parent Company's relationship with the Company was one of the factors relevant for the Ireland NCP to be the lead NCP. The Guidelines prescribe that all entities within the multinational enterprise are expected to implement the Guidelines and carry a shared responsibility to ensure each entity acts in line with the Guidelines².
28. The Ireland NCP has reviewed all submissions from the parties and examined them within the scope of the issues raised and desired outcomes contained in the original complaint submission.

² See Chapter II (Concepts and Principles), paras 4 and 5

29. The NCP regrets that mediation was not successful but notes that during the specific instance process, certain developments occurred, including all court proceedings against the three senior employees who are elected shop stewards been withdrawn and legal costs reimbursed by the Company. This was initiated in March 2024 prior to the submission of this specific instance and was resolved in January 2025.
30. The claim that workers shifts and duties were changed following the industrial action was disputed by the Company. The NCP did not see sufficient evidence to substantiate this claim.
31. There was also no material or substantive evidence to support the claims that the Company does not comply with construction sector agreements. With regards to consideration of a framework, the NCP notes that there is an existing Industrial Relations Framework in the Mechanical Engineering & Electrical Contracting Sectors. The Company provided evidence of their compliance and continued engagement with the relevant organisations involved in the collective bargaining process, primarily through the Mechanical Engineering & Building Services Contractors' Association (MEBSCA).
32. Regarding the naming of the three shop stewards in court proceedings, the NCP understands from legal advice that a registered trade union can be sued in its own name, but individuals are often named in court proceedings when such individuals are acting on behalf of the trade union. This remains a disputed issue between the parties and it would not be appropriate for the NCP to comment further on this matter.
33. The NCP recognises the efforts of the parties to engage in the specific instance process. The issue of campaigning was a key concern of the Company throughout the process. Whilst campaigning is permitted during the specific instance process and the NCP recognises this is an important , the NCP would like to highlight the section in its Case Handling Procedures on the topic of transparency and confidentiality, where para 7.8 states *"Seeking publicity with respect to a complaint while a dialogue is taking place can, depending on the context and way it is done, have a positive or negative impact on the dialogue process and on efforts to arrive at an agreed resolution"*.
34. The NCP recommends that the Parties work together with MEBSCA, build on the dialogue created in the NCP process, and utilise established collective bargaining processes through the Workplace Relations Commission and other appropriate mechanisms, to find a pathway forward.

Follow-up

35. The Ireland NCP will contact the parties one year after the publication of the Final Statement to take account of the situation and will conclude the Specific Instance.

ENDS

**Ireland National Contact Point
OECD Guidelines for Multinational Enterprises on Responsible Business Conduct
Department of Enterprise, Tourism and Employment**

The OECD Guidelines for Multinational Enterprises are recommendations on responsible business conduct (RBC), addressed by Governments to multinational enterprises operating in or from adhering countries. They provide non-binding principles and standards for RBC in a global context consistent with applicable laws and internationally recognised standards. As an adhering country, Ireland is required to maintain a National Contact Point (NCP) to promote and raise awareness of the Guidelines and to consider complaints of alleged non-observance of the Guidelines.

The Ireland NCP is a standalone unit in the Department for Enterprise, Tourism and Employment.