



**ImproCollBar**

Improving Collective Bargaining in European Union.  
Comparison of Different Industrial Relations Regimes

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ImproCollBar Roundtable Leuven

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# TRADE UNIONS IN IRELAND

## ❑ Irish Congress of Trade Unions:

### ❖ 45 trade unions – 721,000 members:

- 521,000 in Republic of Ireland (RoI)
- 200,000 in Northern Ireland (NI)
- 22 unions registered in RoI  
(3 with members in NI)
- 21 unions registered in GB  
(9 with members in RoI)
- 3 NI-only unions

### ❖ 54% of ICTU affiliated union members are women





# COLLECTIVE BARGAINING IN IRELAND

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- 1970s: Bi-partite National Wage Agreements
  - 1980s: Tripartite National Understandings
  - 1990s: Tripartite National Economic and Social Agreements
  - 2009: Return to enterprise-level bargaining
  - 2020s: Enterprise-level and Public Sector Bargaining

# CURRENT EMPLOYMENT

- Unemployment at 4.4%
  - 16% in 2012!!
- Technically full employment – 2.5 million employed!
- Technology / Social Media Sectors:
  - 2,400 workers made redundant January to June 2023
  - All found new employment
- ✗ Gender Pay Gap (2022): Female: €25.06 per hr;  
Male: €27.73 per hr (9.6%)
- ✗ Public Sector: IR issues – increase in industrial disputes!!



# COLLECTIVE BARGAINING STRUCTURES: WORKPLACE RELATIONS COMMISSION (WRC)

## ➤ Role of WRC

- Promotes good workplace relations and encouraging compliance with relevant workplace legislation
- Provides advice and guidance in relation to *Codes of Practice*
- Reviews and monitor developments and undertakes research into new developments in workplace relations,

# COLLECTIVE BARGAINING STRUCTURES: WORKPLACE RELATIONS COMMISSION (WRC)

- ❖ Provides advice, information and the findings of research to the **Joint Labour Committees** and Joint Industrial Councils
- ❖ Provides employers' and workers' negotiators in dispute with a **Conciliation Service**
- ❖ Advises the relevant Ministers in relation to the application of, and compliance with, relevant IR and workplace legislation (both EU and IE)
- ❖ Provides information to members of the public in relation to employment rights



# COLLECTIVE BARGAINING STRUCTURES: JOINT LABOUR COMMITTEES (JLC)

- **JLCs** were first set up by the Industrial Relations Act, 1946
- Independent bodies made up of equal numbers of employer and worker representatives from the business sector, that set the employment conditions and minimum rates of pay for employees through **Employment Regulation Orders (EROs)**
- Now regulated by 2012 legislation: Two Supreme Court Rulings!!
- Currently there are nine sectoral JLCs and three EROs:
  - Agricultural workers; Catering; **Contract Cleaning**; **Early Learning and Child Care**; English Language Schools; Hairdressing; Hotels; Retail, Grocery and Allied Trades; and the **Security Industry**

# COLLECTIVE BARGAINING STRUCTURES: CONCILIATION SERVICE

- The **Conciliation Service** is a voluntary process in which the parties to an industrial dispute agree to avail of a neutral and impartial third party to assist them in resolving their dispute
- Conciliation conferences are chaired by professional Industrial Relations Officers from the WRC
- Participation in this conciliation process is voluntary – both parties must agree to the process



# COLLECTIVE BARGAINING STRUCTURES: CONCILIATION SERVICE

- Settlements are reached by consensus, whether by negotiation and agreements facilitated between the parties themselves, or by the parties agreeing to settlement terms proposed by the Chair (the IR Officer)
- The conciliation process is informal and non-legalistic. The parties are free to represent themselves or be represented by a trade unions or by an employer organisation
- Legal representation is discouraged!!
- If there is no agreement the dispute can be referred to the **Labour Court**

# COLLECTIVE BARGAINING STRUCTURES; LABOUR COURT

- ❑ The Labour Court (also set up in the 1946 IR legislation)
- ❑ It provides an industrial relations service to consider disputes that parties have been unable to resolve themselves or with the assistance of the WRC Conciliation Service.
- ❑ It is the ‘Court of Last Resort’ and more formal than the Conciliation Service
- ❑ Disputes can be referred to the Court for an ‘**opinion**’ and it issues a ***Determination***
- ❑ The ***Determination*** is **not binding** on the parties, but is (almost) always excepted



# NATIONAL MINIMUM WAGE / LIVING WAGE

- The National Minimum Wage Act, 2000, sets out the process of determining the Minimum Wage
- It established the **Low Pay Commission**, which is made up of representatives of trade unions and employers' organisations; an independent chair and 2 independent experts
- It makes recommendations to the Government designed to set a minimum wage that is ***fair and sustainable***
- When appropriate, the minimum wage can be adjusted to assist as many low-paid workers as possible ***without harming overall employment or competitiveness***

# NATIONAL MINIMUM WAGE / LIVING WAGE

- ❖ In its 2023 report, the **Low Pay Commission** recommended an increase of €1.40 to €12.70 per hour. This was accepted by the Government in **Budget 2024**
- ❖ It was also decided by the Government that the increase should take effect from 1 January, 2024
- ❖ This increase is the second year of the proposed four-year plan towards reaching the **Living Wage** – set at 60% of the national median wage - by 2026
- ❖ The **Living Wage** is calculated at €14.80 per hour



# EU Directive 2022/2041 for an Adequate Minimum Wage

- ❑ Sectoral collective bargaining: Recital 16; Article 4.1 (a)
- ❑ Collective bargaining to reach 80% of EU workforce: Recital 25

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- ❑ Divergence of employment rights on the island of Ireland
- ❑ Minimum wage in NI: £9.90 an hour (€11.42) to be increased to £11.50 (€13.26) in April 2024 (?)



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THANK YOU  
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