

A Workers Guide



**GENERAL INFORMATION
ON WORKERS RIGHTS
IN THE
REPUBLIC OF IRELAND**

A Workers' Guide To Workplace information

This pamphlet is to be used as a very basic guide to information on workers rights and entitlements in the 'Republic of Ireland' as laid out under updated labour law.

To know more and receive support, training and further guidance from fellow workers, we believe you should join the Industrial Workers of the World.

For all correspondence, write to:

*Industrial Workers
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National Minimum Wage

In the Republic of Ireland it is **ILLEGAL** for people to be paid less than the National Minimum Wage. If your boss pays you less than the minimum you can report them.

The current minimum wage was introduced on 1st February 2020 and is age dependent. Your boss **MUST** pay you the new rate for all work done from this date or they are breaking the law.

20 and over 19 18 Under 18

Current Rate

(Hourly) €10.10 €9.09 €8.08 €7.07

Payslips

Your boss **MUST** give you an accurate payslip every time you are paid.

The payslip must show your name and PRSI number. It must also show your total “Gross” pay, any deductions that are made for tax, pension or other things, and then it must show the “Net” amount you will actually get paid in cash or into your bank account.

If your boss does not give you a payslip with all these things, or the “Net” figure does not match what you are actually paid, your boss is breaking the law.

Trial Shifts & Deductions

In some jobs in cafes, shops and restaurants, it has become normal for bosses to insist you do a “*trial*” (without pay) so they can see if you can do the job. This should usually only be for a few hours, or 1 shift. If your boss asks you to do 2 days or more as a ‘*free trial*’ they are a bad boss!

Also, some bosses will ask you for a deposit, for kit, or for training, and sometimes this will be deducted from your pay, or ‘*held back*’ until you have worked there for a few weeks, or months.

Bad bosses will exploit this, so beware!

You should have always agreed any deductions in your contract (they should not be a surprise), you should know how much is going to be deducted, for how long and why, and all deductions should be listed on your payslip. If they are not, contact your union immediately.

If you are treated badly at work because you are different to your boss or other workers, this is called “*discrimination*”. Irish law protects people from discrimination on the following grounds (called “protected grounds”):

Gender (woman or man. This ground also protects against transphobic discrimination and can be used to fight discrimination against non-binary people.)

Civil Status (single, married, separated or divorced, widowed, in a civil partnership, or being a former civil partner in a civil partnership that has ended by death or dissolution)

· Family Status (having dependents, eg a parent of children, or someone who cares for a disabled relative)

· Sexual Orientation

- Religion (including no religion)
- Age
- Race

Disability (any physical, mental, learning or emotional disability or long-term illness)

Membership of the Travelling Community

If you are being discriminated against because of any of these reasons, you should immediately contact your union, the WRC, or Citizens Information.

Discrimination & Disability

Accommodations

Your boss is obliged to provide reasonable accommodations to enable any disabled worker:

- to have access to employment;
- to participate or advance in employment; or
- to undertake training

You may be defined as disabled if you have any long-term illness, injury, condition, disorder or difference in your physical, mental, emotional, or learning health or ability. This includes learning differences such as dyslexia and dyscalculia, and neurodivergences such as OCD, autism or ADHD.

You don't have to disclose a disability to your boss when you start work. If you want to get accommodations in work, you can disclose to your boss at any time and this should be confidential.

Accommodations can be anything that will enable you to participate on a basis equal to your nondisabled peers, so long as it is not shown by your boss to place an undue burden on them (for example for reasons of excessive cost or disruption to other workers).

Accommodations could include changing working hours, working from home, using your own equipment, wearing headphones, adapting buildings and equipment at work, getting your boss and colleagues disability awareness training, or anything else that you think will support you to participate equally.

You can change, remove or add to your accommodations at any time.

If your boss refuses to provide the accommodations you tell them to without showing a reason of undue burden, that is a form of disability discrimination.

For more information see the **Irish Human Rights and Equality Commission** website, particularly their booklet '*A Guide the Employment Equality Acts*'

<https://www.ihrec.ie/documents/a-guide-the-employment-equality-acts/>

Health & Safety

Irish law says that your boss **MUST** do their best to make sure there are no risks to your health, safety or welfare while you do your job. The boss should make sure you have information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, your health and safety.

This relates to any physical injury or illness you may have which is work-related, or to mental health problems – such as stress, depression, anxiety – caused by bullying or other behaviours in the workplace

For more detailed information on work-related health, safety and illness related information in your sector, the **Health and Safety Authority (HSA)** has very good resources.

Go to **www.hsa.ie** and click on your industry/sector.

Within 2 months of starting work your boss **MUST** give you a written statement that tells you about the job.

The **MINIMUM** they have to provide should include:

- The full names of the employer and the employee
- The address of the employer
- The place of work, or where there is no main place of work, a statement indicating that an employee is required or permitted to work at various places
- Job title or nature of the work
- Date of commencement of employment

Types of Contracts

Here are the types of employment, with some information on the differences between them. **THE LAW, NOT YOUR BOSS DECIDES WHAT TYPE OF EMPLOYMENT CATEGORY YOU ARE IN**, so even if your boss tells you you are self-employed, it may not be true.

Employee: your contract is directly with the company. This is the best situation as you have more rights provided by the law.

Worker: also known as freelance, zero hours or casual.

With some exceptions, zero hours are prohibited under the Employment (Miscellaneous Provisions) Act 2018.

You can't send someone else ("subcontract") to do the job instead of you.

Agency Worker: like a worker, but you are given work via an agency. The agency pays you and tells you when and where to work, but your boss may be from the 'client' company you work for, and that company provides you with tools, uniform or equipment.

The client cannot dismiss you, but they can instruct the agency to dismiss you.

Self-Employed: also known as contractor or sole proprietor, You decide who you get to work for and when. You don't get wages, but charge the company for the service you provide. You can hire someone else to do the work and pay them yourself.

Many bad bosses will pretend you are self-employed, when the law says you are a worker.

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Many bad bosses will pretend you are self-employed, when the law says you are a worker.

They do this because it is cheaper for them. Check with your union or **Citizens Information** if you are not sure whether you are self employed or a worker.

Problems at work & How to submit a grievance

Whenever you have a problem at work, it is always advisable to try to resolve things informally first, by talking to your manager(s) and/or to the people involved. If this doesn't resolve the problem, you can make a formal complaint. This is called a grievance.

Your employer should have their own grievance procedure, and should have given you information about this when you started work.

Normally this is included in the employee handbook.

However, the general guidelines to submit a grievance are the same.

You should first of all write to your employer (a letter normally, but it can be an email). Once your letter has been received your employer should arrange a meeting within a reasonable time. Your employers grievance procedure should allow you to be accompanied to the meeting by your union representative, if a member of a union, or by a work colleague

After the meeting, your employer should write to you to inform of the decision they have made. If you are not happy with this decision, you can appeal against it.

Useful Links

Irish Government website

<https://www.gov.ie/>

Citizens Information

<https://www.citizensinformation.ie/>

Advice on employment, benefits, housing and lots of other subjects.

Workplace Relations Commission (WRC)

<https://www.workplacerelations.ie/>

They are the 'referee' between employers and employees, and make the rules (*but not the laws*).

Irish Human Rights and Equality Commission

<https://www.ihrec.ie/>

Some useful resources on discrimination in the workplace.

Please note that this handout should be taken as general background information and not as legal advice for your particular situation.

Industrial Workers of the World (*Ireland Branch*)

<https://www.onebigunion.ie/>

How To Fire Your Boss!

<https://www.onebigunion.ie/how-to-fire-your-boss>

