

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



[onebigunion.ie](http://onebigunion.ie)

# Wage

## **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 1<sup>st</sup> 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.



# Discrimination

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 (Male, Female, Transsexual)
- Civil Status
- Family Status
- Sexual Orientation
- Religion
- Age
- Race
- Disability
- 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.

## **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](http://www.hsa.ie) and click on your industry/sector.

# Contracts

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
- If the contract is temporary, the expected duration of employment
- If the contract is for a fixed-term, the date on which the contract expires; if the contract is for a fixed purpose, then the details of the occurrence of that specific purpose
- The rate of pay or method of calculating pay
- Whether pay is weekly, monthly or otherwise
- Terms or conditions relating to hours of work, including overtime
- Terms or conditions relating to paid leave (other than paid sick leave)
- Terms or conditions relating to incapacity for work due to sickness or injury
- Terms or conditions relating to pensions and pension schemes
- Periods of notice or method for determining periods of notice
- A reference to any collective agreements which affect the terms of employment

As well as this, good employers will give you an employees handbook which has more information on what they expect you to do, and what you can expect from them.

## 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 ("sub-contract") 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 a 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. 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 and 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/>