



December 2023

News



2023 in review and looking ahead to 2024

This year has been another prominent year for industrial relations and employment rights in Ireland. 2024 looks set to be equally busy with a significant number of government imposed labour market regulation initiatives and related payroll costs due to come into effect.

[Access our Review and Outlook webinar](#)



National Minimum wage increases to €12.70 in January

The national minimum hourly rate will rise by €1.40 from €11.30 to €12.70 on 1 January 2024. The incremental changes in the national minimum hourly rate in the coming years will be substantial to bring the National Minimum Wage closer to the target Living Wage which will replace it in 2026. The Government has committed that by 2026 this full-time minimum wage equivalent will increase to €15 per hour.

[Member only content](#)



How will statutory sick leave interact with illness/Injury Benefit when statutory sick pay increases to 5 days in the New Year?

Statutory sick leave will increase from 3 to 5 days from January 1st. If an employee qualifies for both Statutory Sick Leave and State benefit, and the first instance of illness in 2024 exceeds the 5-day statutory sick leave entitlement, State benefit will start from day 6. Where an employee has used the 5-day statutory leave entitlement in 2024 but has any subsequent illnesses within the calendar year, State benefit will apply from day 4 after the normal 3 waiting days.

[Access our FAQs](#)



Ibec Shift Work Report 2023

Ibec's newly published Shift Work Report 2023 is the only survey of its kind that comprehensively examines shift operations in Ireland. The findings in this report give companies the opportunity to benchmark their shift work patterns, pay, allowances and other supports in place. The results can also inform future strategic operations.

[Member only content](#)



Significant changes to work permit system as salary thresholds increase and 43 roles become eligible for employment permits

The amendments will see the salary requirements for most new General Employment Permits (GEPs) rise from €30,000 a year to €34,000 in January. In all, 11 roles have been added to the critical skills occupations list and 32 have been added to the general employment list. Several occupations which had previously made eligible for GEPs have had their quotas extended, with effect from January 2024.

[Read more](#)



Revenue's Enhanced Reporting Requirements (ERR) apply from New Year's Day

From January 1st, employers will be required to report to the Irish Revenue Commissioners in real time, details of certain payments made to employees and/or directors. Reportable benefits covered by the provisions currently include remote working per diem of €3.20 per day, vouched and unvouched travel and subsistence payments and vouchers as well as trivial benefits covered by the small benefits exemptions.

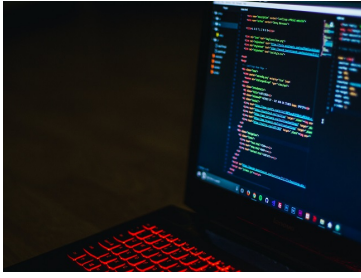
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New rules mean that from 1 January employees can claim pension anytime between ages of 66 and 70

While the State Pension age is to remain at 66, a new flexible system provided for in the Social Welfare (Miscellaneous Provisions) Act 2023 will give people, from January, the choice to work up to the age of 70 in return for a higher pension. Under the new system an employee will be entitled to a higher State pension for each year worked after 66. This reform will have the potential to cause challenges for employers with additional or increased requests for longer working.

[Revisit our retirement and pension reform summary](#)



European Commission reaches political agreement on the AI Act

On 8 December, the European Parliament and Council reached political agreement on the European Commission's proposed Artificial Intelligence (AI) Act. The final consolidated text will be available by late January 2024. While the importance of safeguarding trust in AI and the political deal are acknowledged, there are still business concerns around the detail, given the ambition to encourage investment in AI in Europe by 2030.

[Read more](#)



EU agrees plan to boost rights of app based gig economy workers

The European Parliament and EU member states have reached agreement on rules to strengthen conditions for so called 'platform' workers working through apps such as delivery riders and cab drivers. The European Parliament said that under the new law, many platform workers in Europe could be re-classified as employees and therefore qualify for employment and social protection rights.

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Ministers approve plans to recognise international surrogacy

Government in recent weeks approved a policy approach and draft outline legislative proposals in respect of the regulation of international surrogacy and recognition of certain past surrogacy arrangements (domestic and international). Most surrogacies are undertaken abroad through commercial arrangements. The issue of surrogacy continues to be a significant one faced by employers who are exploring ways to support this journey to parenthood taken by some of their employees.

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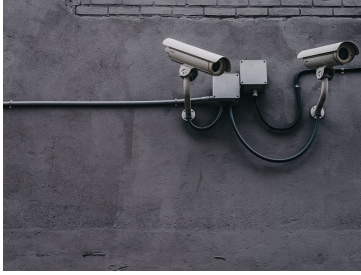


Employment Permits statistics show the permits issued by nationality, county, sector and company

This month, the Department of Enterprise, Trade and Employment released statistics on employment permits issued in 2023. The figures show that from 1 January 2023 to 30 November 2023, 28,383 employment permits were issued, 1,470 employment permits were refused and 583 applications were withdrawn.

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Spotlight article



New toolkit from Ibec helps employers assess and combat risk of aggression and harassment directed at employees

Are you doing enough to prevent and manage aggression and harassment in your workplace? Ibec's new toolkit on *Managing Aggression and Harassment in the Workplace* contains practical information and resources for employers. It includes a sample policy, risk assessment and incident report form together with useful case studies that illustrate particular threat factors and how they were addressed.

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Case Law



Significant award for employee dismissed during probation

In a complaint under the Equality Act, the claimant accused her former employer, a car dealership, of discriminating against her on gender grounds by dismissing her during her probation in May 2023 when they learned that she was pregnant. The company contended that her probationary dismissal was due to substandard performance and failure to reach her sales targets.

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Seasonal workers: lessons from case law

Certain industries are subject to seasonal fluctuations in business. Where an organisation recalls the same temporary workers over a number of successive seasons, the workers concerned may be able to demonstrate the existence of an 'umbrella' employment contract that enables them to bring a claim under a number of pieces of legislation. As case law shows, this includes a claim under unfair dismissal and redundancy payments legislation.

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Human Resource News



Ibec Performance Experience Framework

The world of work has changed, and with it a rise in necessity to design experiences and opportunities that marry people and organisational needs. A human centred approach to performance design and interconnectivity to other people programmes will combat attrition and improve performance, engagement and development.

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Industrial Relations



Sectoral pay arrangements - December update

There are currently a number of sectoral employment agreements and employment orders in place which set out the minimum rates of pay and conditions of workers in specified business sectors including construction, security, contract cleaning, childcare and others. See our overview of the pay rates applicable at present together with changes in the pipeline.

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Labour Court online portal opens for submitting appeals and some referrals

The Labour Court has launched a new online portal for submitting appeals to the Labour Court. The new portal accepts all appeals of WRC adjudication decisions, as well as some referrals under the 1969 IR Act.

[Read more](#)

Health & Safety



Occupational Safety and Health Update December 2023

In this month's OSH update we feature two recently published reports which indicate that the number of personal injury claims and the average value of injury compensation awards continue to fall. We also point to new Health and Safety Authority guidance on Managing exposure to Biological Agents in Laboratories, updated HSA information on Safety Data Sheets for Hazardous Chemicals and more...

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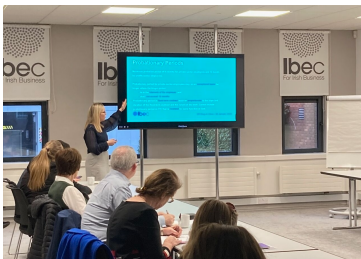


Sample occupational First Aid policy

There are specific requirements in Occupational First Aid made under Chapter 2 of Part 7 of the Safety, Health and Welfare at Work General Application Regulations 2007. Employers must complete a risk assessment and put in place measures identified in the risk assessment to ensure first aid is managed appropriately in the workplace. A first aid policy should be in place.

[Access our Sample Policy here](#)

Upcoming Events



Catriona McKeating, Employment Law Solicitor, Ibec, presenting at an Ibec ER Drop-In Clinic in January 2022

Ibec ER drop-in clinic

The Ibec Employer Relations Division is hosting an ER Open Day and drop-in clinic for members who wish to discuss upcoming changes to employment legislation and other employment issues. It is also an excellent opportunity to meet with our experts in our Advocacy, Knowledge Centre and Legal teams. [Read more](#) if you are interested in attending.



First KC Connect in 15 webinar of 2023

To kick off the 2023 *KC Connect in 15* webinar series, Liz Murphy, Employer Relations Executive, will examine the area of protected disclosures by giving an overview of the law, what should be included in an organisation's policy and the remedies available to workers. Sign up to this webinar [here](#). Also don't forget to check out our top 5 most listened to ER webinars and podcasts [here](#).



Ibec's 2023 HR Leadership Summit

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Connect with experts and industry leaders at Ibec hosted events. By subscribing you'll receive invitations and updates so you don't miss events that can help you stay connected and informed.

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Ibec Employment Law Services Team at the Ibec Employment Law Conference 2023

Save the date! Ibec Employment Law Conference 2024

The Ibec Employment Law annual conference will take place on 18 April 2024 in the Dublin Royal Convention Centre. For more details contact events@ibec.ie

Upcoming Training



A-Z of Employment Law for HR Professionals

This programme is designed to give HR professionals a high-level view of employment law. It will provide an up-to-date view of Employment Law including new changes to legislation, new case law and new codes of practice.

[Read more](#)



CPD Certificate in Employment Law

Gain a comprehensive understanding of the key aspects and practicalities of employment legislation while building confidence and competence in this critical area of business.

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Directors: Eugene McCague (Chair), Paul Duffy (President), Anne O'Leary, Imelda Hurley, Frank Gleeson, Colin Hunt, Caroline Keeling, Gerry Kilcommins, Anne Heraty, Pat McCann, Danny McCoy, Liam O'Donoghue, Dalton Philips, Siobhán Talbot, Maureen Walsh, Professor Orla Feely, Mary Considine, Sharon Walsh, Natasha Adams, Niall Anderton.

Registered address: 84/86 Lower Baggot Street Dublin 2 Phone: +353 (0)1 605 1500 Email: info@ibec.ie