



HRlink
Inspiring workplace excellence

March 2024

News



Aoife McFadden, Senior
Employment Law Solicitor, Ibec

Government approves Bill to introduce pension auto-enrolment and publishes General Scheme of the Employment (Restrictions of Certain Mandatory Retirement Ages) Bill 2024

Draft legislation designed to set up the new pension auto-enrolment system has been approved by Cabinet. This follows another retirement related development earlier in March when plans were announced for draft legislation that will enable employees to continue to work until the State Pension age (currently 66). The Employment (Restrictions of Certain Mandatory Retirement Ages) Bill 2024 will provide that, in general, an employer cannot set a retirement age below the State Pension age if the employee does not consent to retire.

[Member only content](#)



Ibec sample policy on new Right to Request Flexible and Request Remote Working

The right to request remote working and flexible working arrangements for parents and carers finally came into effect on 7 March with the publication by the Workplace Relations Commission of a related Code of Practice. See our new [guidance note](#) and [sample policy](#).



Government report on government-imposed labour costs aligns with Ibec analysis

In recent weeks, the Government published a report on the cumulative impact of government-imposed labour costs on business. Commenting on the findings, Ibec CEO Danny McCoy said Ibec would like to see a commitment to a competitiveness charter concerning State-imposed labour market costs, as well as the introduction of a PRSI rebate targeted at specific companies.

[Read more](#)



Pauline O'Hare, Senior Employment Law Manager, Ibec

Business flags concerns that proposed revisions to the European Works Councils Directive pose threat to competitiveness

The European Commission's proposed revision of Directive 2009/38/EC as regards the establishment and functioning of EWCs, and the effective enforcement of transnational information and consultation rights has raised a number of concerns for business. In Ibec's view EWCs are not co-decision bodies, but information and consultation forums and any proposed revision must not entirely change the purpose and intention of EWCs.

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Catriona McKeating, Employment Law Solicitor, Ibec

Agreement reached on Platform Work Directive

On 11 March 2024, EU employment and social affairs ministers confirmed the provisional agreement reached between the European Parliament and the European Council on a new platform work directive. This was a somewhat surprising development, further to the agreement being blocked by a number of states last month. Platform workers are often referred to as "gig workers" and the term refers to those workers who are contracted to work for a digital platform, such as food delivery drivers and rideshare drivers, often as independent contractors.

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Experience Economy needs support and overall strategy approach against backdrop of costs and labour shortages

The Experience Economy is an interconnected ecosystem encompassing thousands of businesses in a variety of sectors like tourism, culture and sports events, bars and restaurants. According to a new economic assessment of the industry, the Experience Economy accounts for 4 billion euro in annual spending on goods and services and 9 per cent of total employment in the State but is currently in need of urgent support and an overall strategy approach.

[Read more](#)



Crucial role for both Government and employers to better support individuals balancing employment and caregiving responsibilities

A new report on unpaid caregiving in Ireland reveals that the majority of carers are in employment and three quarters of these say it's challenging to balance work and caring responsibilities. The report which was published by Ibec on 5 March contains a number of recommendations including a fully funded Carer's Guarantee for core services.

[Read more](#)

Spotlight article



Code of Practice on Remote Working - it's only the start

Post pandemic, a lot of emphasis has been placed on the development of this Code as forming the backbone of workplace flexibility as organisations look to consolidate their remote and flexible working policy arrangements. Beyond legislative compliances, how do organisations ensure effective collaboration and team cohesion in a dispersed working environment?

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Case Law



Compensation awarded to worker for breach of Sick Leave Act

In recent weeks a staffing agency has become the first company in Ireland reported to have been found in breach of the Sick Leave Act 2022. In her decision, the WRC Adjudication Officer noted that the company had fully accepted that it was wrong. She also acknowledged that the monies which were payable to the employee had been paid before the hearing. However, she awarded the Claimant compensation in light of his frustration and upset with the time it took to be paid his legal entitlement.

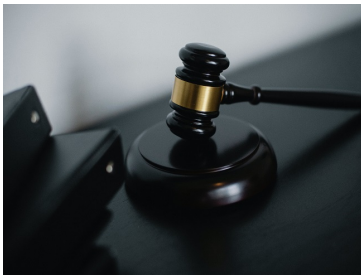
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WRC finds Charity Worker's retirement valid for succession planning reasons

Mandatory retirement ages have become increasingly difficult to justify and enforce, however in a recent case before the Workplace Relations Commission, an Adjudication Officer found that the employer satisfied the conditions under Section 34(4) of the Employment Equality Act 1998 which provides that it shall not constitute age-based discrimination to fix a retirement age for employees if it is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

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Supreme Court rules lower Court should not have granted injunction in industrial dispute

The Supreme Court has delivered its judgment in the case of *H.A. O'Neill Ltd v Unite the Union & Ors* [2024] IESC 8. The Supreme Court has ruled that a lower court was wrong to grant an injunction restraining members of Unite the Union from taking industrial action.

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Human Resource News



Looking for some inspiration on activities to mark National Workplace Wellbeing Day 2024?

Ibec is proud to be hosting National Workplace Wellbeing day for the tenth year in a row! As the first country in Europe to put in place a day devoted to workplace wellbeing, Ireland is truly leading the way and 26 April aims to showcase this.

[Read more](#)



Employment Permits FAQs

New legislation was enacted on 22 December to implement the most significant changes to the Irish employment permits system for some time. The overhaul saw 43 roles added to the list of permit eligible roles as well as an increase in the salary requirements for both General and Critical Skills Permits. An updated version of the Department of Enterprise Trade and Employment (DETE) Employment Permits FAQs was published on March 5 reflecting these changes.

[Read More](#)

Industrial Relations



Unions ratify Public Sector Pay Deal

Public service trade union members have backed the new Public Service Agreement 2024 - 2026. This latest collective pay agreement for the public service covers 385,000 civil and public sector workers who will receive pay increases of at least 10.25 per cent over two and a half years. This is made up of pay increases totalling 9.25 per cent, as well as a provision for a Local Bargaining mechanism equivalent to 1 per cent of pay.

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Early Years Joint Labour Committee backs 5 per cent pay increase

The Early Years Joint Labour Committee (JLC) has adopted two proposed Employment Regulation Orders (EROs). The JLC sets pay for an estimated 25,000 workers in almost 4,000 childcare providers. The first proposed ERO is for the Early Years Educator grade and the second for all the promotional grades.

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Public hearing on a new proposed ERO for the contract cleaning industry scheduled for 8 April

The Joint Labour Committee (JLC) for the contract cleaning sector has proposed an increase in the single minimum wage for the sector to €13.30 per hour. This is an increase from the current rate of €11.90 per hour, however it is important to note that all contract cleaning workers have been entitled to the national minimum wage of €12.70 per hour from 1 January 2024.

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Health & Safety



Delegates at the OSH regional roadshow event in Galway which took place this month

Occupational Safety and Health Update March 2024

In this month's OSH update we bring you the remaining dates in Ibec's series of Occupational Safety and Health regional roadshow events. The final three of these events will take place in Cork, Donegal and Limerick between the 9th and 25th of April where speakers will cover legislative updates, industry benchmarking and conduct an OSH clinic for attendees. Also, in this issue we report on a new webinar on Remote and Hybrid working, we highlight an opportunity for Menopause Supportive Employers to demonstrate their commitment and more...

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Upcoming Events



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

Ibec Employment Law Conference 2024

Tickets are almost sold out for [Ibec's Employment Law Conference](#) taking place on Thursday, 18 April at the Dublin Royal Convention Centre. The central theme of this year's conference, The Employment Paradox, aims to delve into the changing policies surrounding the employer-employee relationship. Items on the agenda will include managing harassment and aggression in the workplace, top 5 cases of the last 12 months, AI in the workplace and much more. Book your place [now](#).



National Workplace Wellbeing Day 2024

Join us for Ibec's 10th National Workplace Wellbeing Day on Friday, 26 April 2024! As a registered participant, you'll publicly demonstrate your commitment to staff wellbeing. This day offers a chance to focus on social, mental, and physical supports for employees, showcasing your year-round efforts. A successful wellbeing program enhances health, engagement, and productivity. Register now for a chance to win vibrant office plants and start planning! Register [here](#).



Leading in Wellbeing lunch

Ibec is delighted to announce the return of the **Leading in Wellbeing lunch** taking place on Thursday 25 April in the College Green Hotel, Dublin 2. On the day we will celebrate the launch of the top 100 companies leading in wellbeing and to mark Ibec's **10th National Workplace Wellbeing Day**. We will also be recognising the companies that have excelled across key areas of their KeepWell accreditations during the last year, through our Best in Class awards. Book today and join us, your colleagues and peers for a delicious meal, good conversations, entertainment, inspirational speakers, and a special guest honouree. The lunch will be hosted by TV presenter and designer, Brendan Courtney.



Protective Leave case law and remote and hybrid working to be explored in upcoming KC Connect in 15 webinars

As a follow up to our recently broadcast Overview of Family Leave Entitlements webinar, Lorraine Parkes Senior Employer Relations Executive will explore relevant case law in relation to employee claims under protective leave legislation. Click [here](#) to register. In a separate webinar, Bernie McMeel, OSH Executive, will explore the risks associated with working remotely and how employers can both manage and put control measures in place to reduce them. Click [here](#) to register.



Speakers from the Ibec HR Leadership Summit 2023

Ibec HR Leadership Summit 2024

Save the date for the Ibec HR Leadership Summit 2024, taking place at the Dublin Royal Convention Centre. Register your interest by emailing events@ibec.ie to be the first to know when tickets go on sale for this sell out event.

Upcoming Training



Upcoming Learning & Development

Ibec academy runs courses to help you upskill your managers. With the shelf life for learned knowledge shrinking and digital innovation transforming many operational processes, managers must keep learning and stay familiar with these advancements so they can help their teams. Our **CPD Diploma in Coaching** 23 Apr, **Diploma in Human Resource Management** 8 May, **Foundations in Management** 25 Apr and **Certificate in Managing People** 9 May are courses we run to help your managers upskill.



Customised Learning & Development Programmes

At Ibec Academy we specialise in developing 'people at work', offering applied and accredited professional development programmes designed around real-life scenarios, delivered by subject matter experts. We will work with you to design and deliver a customised, impactful and highly relevant solution, designed to transform your people and their performance levels based on our expertise and real experience. [Contact us](#) to learn more or to design a customised programme for your people.

Contact us, it's always great to hear from you

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