



HRlink

Inspiring workplace excellence

January 2024

News



Government needs to pause uncoordinated and excessive labour cost increases - Ibec

In its latest leadership sentiment survey taken just before Christmas, Ibec has revealed that the increasing cost of doing business is the single most significant challenge for business leaders heading into 2024.

[Read more](#)



Pauline O'Hare, Senior Employment Law Manager, Ibec

Code of Practice on Right to Request Remote Working due end of January

The long-awaited Code of Practice on the right to request flexible and remote working from the Workplace Relations Commission (WRC) is expected to be published by the end of this month. Once the Code has been approved by the Minister for Enterprise, Trade and Employment, the Minister will commence by regulations, the right of employees to request flexible working and remote working in accordance with the Work Life Balance and Miscellaneous Provisions Act.

[Member only content](#)



Recent increase in statutory sick leave to 5 days impacts illness benefit 'waiting days' for almost all employees - see new worked examples

Ibec's Frequently Asked Questions on Statutory Sick Leave have been revised to include worked examples of how waiting days for State Illness and Injury benefit work in practice with effect from January 2024.

[Access our FAQs](#)



Salary threshold increase deferred for healthcare assistants from outside EEA

There were substantial increases in the salary thresholds for employment permit applications and renewals submitted to the Department of Enterprise, Trade and Employment from 17 January. The only deferral in the new minimum rates announced on 20 December applies to healthcare assistants from outside the EEA.

[Member only content](#)



Sinead Wallace, Employment Law Solicitor, Ibec

New proposals announced for European Works Councils

The European Commission has proposed a revision of the European Works Councils (EWCs) Directive with the aim of improving social dialogue within the EU. The European Commission published an evaluation of the EWC Directive in 2018 and the current proposals aim to tackle some of the challenges of EWCs identified in that evaluation including: the low rate of creation of EWCs, enhancing the consultation of EWCs and improving EWCs' effectiveness overall.

[Member only content](#)



Employment Law changes ahead in 2024

Employers will have their hands full this year trying to stay on top of developments in Irish employment law. See our brief summary of the key changes that employers and HR practitioners should expect.

[Member only content](#)



New fines for protection of tips

The Workplace Relations Commission Act 2023 (Fixed Payment Notice) Regulations 2023 were published on 12 January 2024. They consolidate new and existing fixed payment notices, set out the form of a fixed payment notice to be issued by a WRC inspector, and revoke existing regulations. New on the spot fines are now in place for businesses found breaching rules surrounding tips as outlined in the Payment of Wages (Amendment) (Tips and Gratuities) Act 2022.

[Member only content](#)



L-R: Liz Murphy, Employer Relations Executive, Ibec; Fiona Higgins, Head of Knowledge Centre, Ibec; Maeve McElwee, Director of Employer Relations, Ibec and Nichola Harkin, Head of Employment Law Services, Ibec

Ibec publishes *updated* Employment Law at a Glance e-chart

Ibec's Employment Law at a Glance e-chart, which provides employers with a summary of key Irish employment legislation, has been updated to reflect recent changes in employment rights. The e-chart provides a jargon-free overview of the main areas of employment law in the format of starting, during and ending employment.

Member only content



Updated Code of Practice on Determining Employment Status (Employed or Self Employed) to be published

Revenue are currently working with colleagues in the Department of Social Protection and the Workplace Relations Commission to update the content of the existing Code of Practice on Determining Employment Status. This follows the October 2023 judgement in the Supreme Court case of Revenue Commissioners v. Karshan (Midlands) Ltd. The Supreme Court decision in Karshan sets out a new series of questions to assess employment status.

Member only content



Recent DPC case studies report includes breach arising from use of employee's swipe-card data for disciplinary purposes

The Data Protection Commission recently published a booklet that contains 126 case studies from the first five years of the General Data Protection Regulation (GDPR). The report features complaints received by the DPC in relation to the accuracy of data, disclosure/unauthorised disclosure of data and also scenarios where an individual's data was used for a purpose about which they had not been informed.

Member only content



Keevagh Heverin, Regional Director, Ibec mid-west

Keevagh Heverin is newly appointed Director of Ibec's Mid West Region

Keevagh joins the Ibec mid-west region as Regional Director supporting members throughout the area. Before joining Ibec, Keevagh worked for IKEA for 13 years. Her most recent role with the Swedish multinational was that of People and Culture Manager, prior to which she held roles in Learning and Development, Project Management and Employee Relations.

Spotlight article

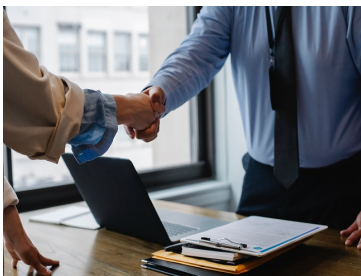


Health and Safety Management in Severe Weather Conditions

Recent years have been marked by a very high level of storminess in Ireland, characterised by more frequent and intense storms. Just this month, Storm Isha battered Ireland with high winds resulting in a number of counties being placed under a Status Red weather warning and many more had a Status Orange warning applied. These adverse weather conditions present an increased risk to safety and health for which businesses must be prepared.

[Member only content](#)

Case Law



Compensation claims relating to change in pay frequency

Although changing pay interval, or even pay method does not result in financial loss for an employee, it can be a hugely contentious matter, as cases over the years demonstrate.

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Compensation claims relating to loss of overtime

Disputes in relation to loss of earnings arising out of a reduction or removal of overtime hours are heard often by the Labour Court. Particularly where employees have availed of the opportunity to work overtime on a regular basis, it is not uncommon for the workers affected or a trade union on their behalf, to argue that this represents a considerable and ongoing loss of earnings.

[Member only content](#)

Human Resource News



TY Student Work Experience - Practical Tips for Employers

Each year, a significant number of employers get involved in facilitating Transition Year (TY) student work experience programmes in collaboration with school coordinators. We outline some practical advice for employers on the benefits of TY work experience programmes to the business and students alike and also highlight the key roles and responsibilities of host organisations.

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St Brigid's Day Public Holiday FAQs

Since 2023, there has been a new annual public holiday in early February to mark St Brigid's Day. The St Brigid's Day public holiday falls on the first Monday in February, except when St Brigid's Day (1 February) falls on a Friday, in which case Friday 1 February will be a public holiday. Revisit the rules on employee public holiday entitlements and employer obligations in relation to same in our FAQ document.

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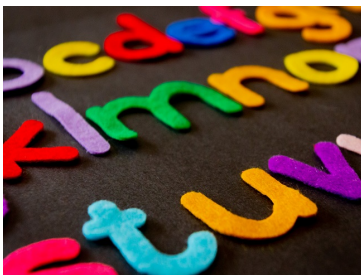
Industrial Relations



10.25% public service pay agreement reached following WRC talks

Agreement was reached on 26 January at the Workplace Relations Commission between Government and union representatives on proposals for a new collective pay agreement for the public service. The deal covers 385,000 civil and public sector workers and is made up of pay increases totalling 9.25%, as well as a provision for a Local Bargaining mechanism equivalent to 1% of pay over a two and a half year period.

[Read more](#)



Pay proposals for childcare workers put out for consultation

The Early Years Joint Labour Committee (JLC) has formally advertised proposals to increase pay for childcare workers. Any party who wishes to make representations to the JLC in relation to the proposals should do so in the form of a written submission by 5pm, on or before, the 30 January 2024.

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WRC publishes updated hearing postponement guidelines

On occasion, cases are listed for hearings at the Workplace Relations Commission (WRC), but one party cannot attend for an unforeseen circumstance. In this type of situation, it may be necessary for a party to request that the scheduled hearing date be postponed. In its updated guidelines, the WRC has indicated that with effect from 1 January of this year, applications for postponement by the WRC within 10 working days with the consent of the other party will be automatically granted. Previously, the requirement was that applications be received within 5 working days.

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Health & Safety

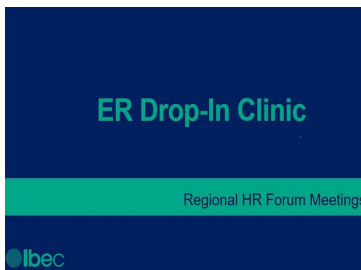


Occupational Safety and Health Update January 2024

In this month's OSH update we report on new data released earlier this month by the Health and Safety Authority on work-related fatalities. We discuss the priority being assigned this year to Digital Technology in the Workplace by European Agency for Safety Health at Work (EU-OSHA). We highlight a new Ibec accidents and incidents reporting webinar, OSH regional workshops and more ...

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Upcoming Events



Ibec Regional HR Forums and ER drop-in clinics

The Ibec Employer Relations Division is hosting a number of Regional HR Forums and ER drop-in clinics over the coming weeks to discuss upcoming changes to employment legislation and other employment issues. The events, which will take place in Limerick, Waterford, Donegal, Galway and Cork, will be an excellent opportunity for members to meet with our experts in our Advocacy, Knowledge Centre and Legal teams.

[Book now](#)



Employment Permits and Visas - Your questions answered

As part of our *KC Connect in 15* series of webinars, Neil O'Brien, ER Executive in Ibec's Knowledge Centre, will deliver a webinar on 13 February exploring the typical questions employers may have on employment permits, immigration stamps and other permissions to work in Ireland. Click [here](#) to register. To complement this, for members who are not familiar with the basic requirements for permits and visas, we have a new *KC Connect in 15* webinar introducing permissions to work in Ireland available to view [here](#).



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

Ibec Employment Law Conference 2024

Join Ibec at one of its largest flagship events on Thursday, 18 April at the Dublin Royal Convention Centre. Ibec's team of solicitors will provide advice on the latest employment policy updates, remote and flexible working, retirement, statutory sick pay, top 5 cases of the last 12 months, aggression and harassment in the workplace as well as pay transparency and gender pay gap reporting. Book before 18 February to secure the [early bird](#) rate.

Upcoming Training



Protected Disclosures

The Protected Disclosures (Amendment) Act 2022 came into effect on 1 January 2023. This legislation brought about significant changes for employers and workers in the public, private and not-for-profit sectors. This training is specifically designed to assist companies in the correct handling of protected disclosures by reporters (sometimes referred to as "whistleblowers") who have the benefit of enhanced protections under the new Act.

[Read more](#)

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

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