



HRlink
Inspiring workplace excellence

November 2023

News



Paid domestic violence leave now in operation

Section 7 of the Work Life Balance and Miscellaneous Provisions Act 2023 introduced 5 days paid domestic violence leave in a 12-month period with effect from 27 November. The leave can be taken where the employee is the victim of domestic violence, including coercive control, or where they are supporting their spouse, partner or child who is the victim. The leave will be paid at the full rate of the employee.

[See our FAQs](#)



Nichola Harkin, Head of Employment Law Services, Ibec

Webinar on domestic violence leave

Members are invited to join an Ibec webinar on domestic violence leave on Monday, 11 December at 10 am. On the webinar, Nichola Harkin (Head of Employment Law Services), Pauline O'Hare (Senior Employment Law Manager) and Kara McGann (Head of Social Policy) will discuss the new entitlement to domestic violence leave. They will provide detailed guidance on who can avail of this leave, how employers should best manage the leave and what policies and procedures employers should put in place. Members are welcome to send in questions for the panellists by COB Wednesday 6 December to heather.ferguson@ibec.ie

[Book here](#)



Statutory paid sick leave will increase to 5 days from 1 January 2024

Minister Neale Richmond confirmed on 17 November that the entitlement to paid statutory sick leave will increase from 3 to 5 days on 1 January 2024. This is in line with the Government commitment to gradually increase the entitlement until 2026, when it will reach 10 days. See our FAQs [here](#).

[Member only content](#)



Aoife McFadden, Senior Employment Law Solicitor, Ibec

Why 2024 is likely to be a big year for the retirement and pension landscape

Next year is expected to see legislation in three key areas of reform; the introduction of a pension auto enrolment system, measures to restrict the setting of mandatory retirement ages by employers below the State pension age of 66 and legislation to introduce a flexible State pension system where people may defer their entitlements to the State pension until 70 in return for higher State pension.

[Member only content](#)



Minister Humphreys secures Cabinet approval for introduction of new Pay-Related Jobseeker's Benefit system

The proposed introduction of pay-related Jobseeker's Benefit is just one of a series of major social welfare reforms announced in recent weeks by the Minister. Other reforms include landmark changes to the State pension, an increase in Parent's benefit from 7 to 9 weeks, extension of Child Benefit to 18 years old in full time education as well as other measures.

[Member only content](#)



Central Bank publishes new rules governing conduct of employees and executives in financial companies - HR Implications FAQs

Following a three-month consultation process with stakeholders, the Central Bank of Ireland this month published regulations and guidance for firms who have to comply with new accountability rules for financial companies. The Individual Accountability Framework (IAF) is a set of rules governing the conduct of employees and executives in financial companies.

[Member only content](#)



Organisations with 50 or more employees must establish internal whistleblowing channels by 17 December

The Protected Disclosures (Amendment) Act 2022 commenced on 1 January 2023. One of the key changes introduced by the 2022 Act is the new obligation on organisations to put internal reporting channels in place for making a protected disclosure. This requirement applies to organisations with 250 employees from January 1, 2023 and those with 50 or more employees from 17 December of this year. See our [guidance and sample policy](#).



Employment Permits Update: Changes to Stamp 4 Support Letter Process

Effective from 30 November 2023, the Department of Enterprise, Trade and Employment will cease to accept applications for Stamp 4 support letters. From that date, Stamp 4 applications and checks will be handled by the Department of Justice/Immigration Service Delivery (ISD).

[Member only content](#)



Reminder: Gender Pay Gap report required in December

Effective from December 2022, organisations with 250+ employees on the snapshot date in June are required to report on their Gender Pay Gap each year. This report must be published within 6 months of the chosen snapshot date. This obligation will extend to employers of 150+ employees in 2024 and to employers of 50+ employees in 2025. See our *KC Connect in 15* webinar on [Gender Pay Gap reporting](#) for more information.

Spotlight article

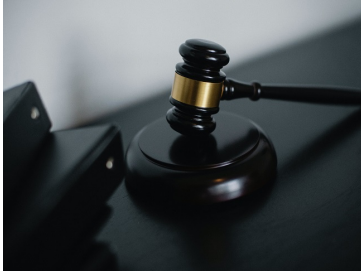


The Year in Review

2023 certainly packed a punch in terms of significant employment legislation, industrial relations developments, and notable case law. With the whirlwind of employment related measures set to continue in 2024, book now for our Year in Review HR Forum webinar. The webinar, which takes place on 6 December, will bring participants fully up-to-date and highlight what to expect in 2024.

[Book here](#)

Case Law



Court finds worker, whose probationary period exceeded maximum period permitted under new rules, was entitled to be appointed to role

A recent High Court case was the first of its kind in a superior court to examine how new probation period rules, set out under the European Union (Transparent and Predictable Working Conditions) Regulations 2022, apply.

[Member only content](#)

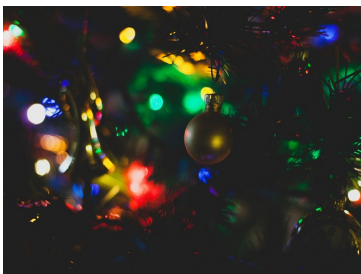


20K award for machine operative forced to retire at 65 in case that demonstrates once again, high bar required to justify mandatory company retirement age

A Workplace Relations Commission Adjudication Officer made the award after upholding the worker's claim of discrimination on the grounds of age. The AO described the reasons for the Company's refusal of the machine operative's application for longer working as overly formulaic. The decision demonstrates anew, the difficulties faced by employers where they seek to enforce their mandatory retirement ages and the high bar that is required to justify its legitimate aim.

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Human Resource News



2023 Year-end Checklist for HR

From managing annual leave and public holiday entitlement to payroll to end of year celebrations, revisit some of the dos and don'ts of the holiday season. Plan now as the festive season approaches to sidestep the pitfalls and avoid the HR nightmare before Christmas!

[Member only content](#)



Planning a workplace social event?

Many organisations choose to celebrate the festive season in December by arranging workplace social events and gatherings. Employers must strike the balance between celebrating the season and ensuring the employment legislation and health and safety obligations are taken into account. [Listen back](#) to our recently recorded *KC Connect in 15* webinar to learn about the considerations employers should take on board when organising such an event.



Dignity and Respect in the Workplace

Bullying, harassment, and sexual harassment in the workplace have a negative effect on employee work performance and wellbeing and are also cited in a significant number of cases before the WRC. An employer has vicarious liability for the actions of their employees but is better placed to defend a claim if they took reasonable practicable steps to prevent these actions and followed robust procedures in dealing with complaints. With this in mind, ensure your policies and procedures are up to date by revisiting Ibec's framework for preventing bullying, harassment and sexual harassment in the workplace.

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Industrial Relations



Economic context for Pay Negotiations

This is the time of year when budgeting for staff pay increases for 2024 takes place and preparation for wage negotiations commence. In our new webinar on the economic context for wages negotiations, our expert team provide a comprehensive overview of recent trends in the Irish labour market and share key insights derived from Ibec's latest HR survey findings.

[Listen back](#)



Public sector pay talks commence under the auspices of the WRC

The current public sector pay deal, Building Momentum, is due to expire at the end of the year. With this in mind, Minister for Public Expenditure, NDP Delivery and Reform, Paschal Donohoe invited public sector unions and staff representative associations to enter negotiations with the Government on a new public sector pay agreement with the support of the Workplace Relations Commission.

[Member only content](#)

Health & Safety

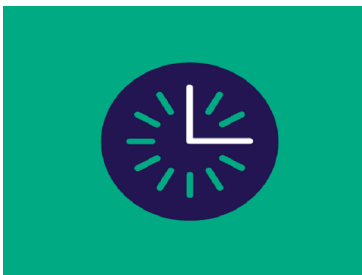


Occupational Safety and Health Update November 2023

In this month's OSH update we feature the Health and Safety Authority's latest Annual Review of Workplace Injuries, Illnesses and Fatalities. We point to resources to assist businesses on their Driving for work practises and also highlight an Ibec Podcast that will be available in early December on keeping employees safe in the event of incidents of violence surrounding the workplace.

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Upcoming Events



Last KC Connect in 15 webinars of 2023

Don't forget to listen back to our final [KC Connect in 15](#) webinars of 2023, including our webinar on [Performance Experience](#), presented by HR Strategy Specialist Vicky O'Neill and an overview of considerations and case law related to [Workplace Social Events](#), presented by Employer Relations Executive Gail Maher. Finally, a reminder to sign up to a webinar on [Succession Management](#), taking place on 12 December.



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

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

Upcoming Training



Foundations in Employment Law

This programme, which takes place on 14 February 2024, introduces participants to the employment legislation area. It focuses on the areas of critical importance with regards to compliance through practical examples, case law and current best practice.

[Read more](#)

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

Email your feedback or suggestions to hrlink@ibec.ie

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Ibec clg is registered in Ireland, registration number 8706. Website: www.ibec.ie

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