

**Social
Democrats**

Workers' Rights

Supporting workers, driving equality

For the Future
It Starts Here

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Key Points

In Government, the Social Democrats will:

- Introduce a **statutory right to union recognition** for employees in workplaces.
- Ensure that union officials have a **right to access workplaces** to communicate with both their members and unorganised workers.
- Legislate to **protect workers from being penalised** on the grounds of trade union membership or activity.
- Campaign at European level for an **EU Directive** reaffirming the right to collective bargaining.
- Create a **regular review of the new Living Wage benchmark** with reference to what the minimum standard of living actually costs.
- Combat precarious working practices by **expanding the scope of existing bans on zero-hour/if-and-when contracts**.
- Increase funding for the **Workplace Relations Commission** to ensure a faster and more accessible provision of services and greater capacity to inspect workplaces and enforce laws.
- **Improve public procurement** procedures and state investment strategies by ensuring that the process is weighted in favour of firms which recognise unions and comply with other equality and environmental best practices.
- Legislate to improve Irish employees' work-life balance by strengthening legislation concerning workers' **right to flexible work**.
- Promote equality in the workplace by requiring companies to publish **gender-pay gap information** and take measures, in consultation with worker representatives, to overcome gender-pay gaps.
- Expand **leave entitlements** to those who suffer from early miscarriage or require other fertility or reproductive health-related treatment.
- Establish a Commission to **research, trial and set out a pathway to the introduction of a right to flexible work** including working from home, term-time working, and a 4-day week.
- Ensure that economic policies give adequate consideration to the potential for development of **worker owned co-operatives**.

Introduction

Strengthening workers' rights is fundamental to social democratic politics.

The Social Democrats are focused on **empowering workers through supporting the growth of trade unions and improving workers' rights legislation.**

In recent decades the world of work has been transformed. All too often these changes have had a negative impact on workers in Ireland. Union density and collective bargaining coverage have fallen rapidly, while economic inequality has risen. For many workers, new digital technologies have intensified their work and enabled it to follow them home.

For many in low pay (disproportionately women, single parents, younger workers, and migrants) in-work poverty has become increasingly common. The current cost-of-living crisis has seen many workers' real earnings and living standards stagnate or decline. For younger workers beginning their careers, various forms of insecurity are quickly becoming the new normal.

Many of the solutions to these problems are not overly complicated. **Strong workers' rights legislation and the provision of high-quality public services** by the state are key to improving living standards for workers.

The most effective way to support workers is to enable them to **join trade unions and represent themselves collectively.** This empowers workers to bring about change from the bottom up.

Throughout Irish history trade unions have played a major role in promoting economic equality, pushing up living standards, and supporting democracy. These achievements have benefitted all citizens, particularly, low- and average-income employees and those who face multiple forms of disadvantage.

Ireland's trade unions have a proud history, and a key role to play in our country's future.

Right to Collective Bargaining

Ireland is one of the only advanced economies in the world where the state does not provide any route for employees to gain union recognition from their employer. For many workers, this makes the democratic right to union representation illusory. The consequences of this are most severe for those in low-paid and precarious employment.

In Government, the Social Democrats will:

- Transpose and implement in full the provisions of the **Adequate Minimum Wages Directive**.
- Transpose and implement the Provisions of the **Platform Work Directive** that promote Collective Bargaining.
- Introduce a **statutory right to union recognition** for employees in workplaces where 15 per cent or more of employees vote for union representation.
- Ensure that union officials have a **right to access workplaces** to communicate with both their members and unorganised workers, and to meet with management to represent their members' interests.
- Legislate to **protect workers from being penalised** on the grounds of trade union membership or activity, and outlaw 'blacklisting' practices.
- Campaign at European level for an **EU Directive** which reaffirms the right to collective bargaining as part of a broader Social Europe agenda.
- Devise a **system of financial penalties** for employers who deny workers collective bargaining rights in circumstances where they are entitled.
- Assign **responsibility for increasing collective bargaining coverage to a minister of state** within the government department responsible for employment.
- Examine the possibility of using funds from the **National Training Fund** (legislative change required) to build capacity amongst workers for engagement with collective bargaining.

Combatting Low Pay, Precarious Employment

Ireland is a rich country, but experiences high levels of economic inequality.

For example, Ireland has one of the highest rates of low pay (low pay being defined by the OECD as less than 66 per cent of median earnings) in the European Union. It is estimated that almost 25 per cent of employees in Ireland are low paid. In recent decades Ireland has also experienced an increase in other forms of precarious working practices such as zero-hours contracts, involuntary-temporary work, and false self-employment.

In Government, the Social Democrats will:

- Create a **regular review of the new Living Wage benchmark** with reference to what the minimum standard of living actually costs, recognising that while benchmarks are important, so too is ensuring income adequacy.
- Make the **two main income tax credits refundable**, to give a boost to many low paid workers. (See Refundable Tax Credits, below).
- Reform the workings of the **Joint Labour Committees** (JLCs) to enable the process to proceed if employers' representatives refuse to engage.
- Combat precarious working practices by **expanding the scope of existing bans on zero-hour/if-and-when contracts**, introducing a strict legal definition of self-employment (building on recent court rulings), and increasing funding and resources for the Workplace Relations Commission's inspection and enforcement services.
- Amend the Unfair Dismissals Act 1977 to **expand protections to workers previously excluded from that Act**, and further protect workers from discriminatory dismissals, as per the Bill we brought forward in March 2023.
- Restore the **delayed increases in statutory sick leave** to 10 days

Living Wage Adequacy

The lowest paid in our society should at least be able to keep up with the rest. Yet between 2016 and 2022, increases in the National Minimum Wage (14.5%) failed to keep pace with increases in average hourly earnings (22%), according to the Parliamentary Budget Office.

In 2022, Government announced plans for a Living Wage that will be pegged to 60 per cent of median earnings. This is a strong step in the right direction but is

a move away from the concept of a living wage being what it actually costs to achieve a decent standard of living.

Median earnings have no bearing on the cost of basic necessities. Linking a living wage to this benchmark could therefore lead to income inadequacy becoming ingrained in the system.

Towards the end of 2023, the Living Wage Technical Group announced that the actual living wage for 2023/24 was €14.80 per hour. A significant increase in the Minimum Wage is required, both to keep pace with inflation and close the Living Wage gap.

While working from an initial base of 60 per cent of median earnings, Government must ensure **regular review of this benchmark with reference to calculations of what it actually costs to achieve a minimum standard of living**, recognising that while benchmarks are important, so too is maintaining the link between that benchmark and income adequacy.

For too long the attitude has been that employment is the best poverty-reliever. But a job only relieves poverty if it is a decent job – full-time, paid at a living wage, and with decent conditions. Anything less than that fails to achieve our social aims.

Refundable Tax Credits

Recent trends of precarious working practices contribute to a situation where, according to the CSO, nearly 6 per cent of those in employment are experiencing poverty.

Introducing a system of Refundable Tax Credits would help tackle the problem of the 'working poor' as it would allow low-income workers who do not earn enough to use their full credits to have the unused portion "refunded" – essentially a cash payment.

This would help many on low pay deal with increasing living costs.

Making tax credits refundable would also make Ireland's tax system fairer, improve the living standards of a substantial number of people in Ireland, and give Government a useful additional tool to target support to low-income workers.

Supporting Workers

Workers' rights are human rights. They are essential for a democratic and prosperous society. For the vast majority of Irish citizens trade-union membership is the most effective way to have their views represented in the decision-making processes which govern their working lives. Strengthening trade unions does not simply improve these workers' conditions, it **empowers them to take greater control of their own working lives** and exert more of an influence on how the economy is organised.

In Government, the Social Democrats will:

- Increase funding for the **Workplace Relations Commission** to ensure a faster and more accessible provision of services and greater capacity to inspect workplaces and enforce laws. We would bring the number of labour inspectors with the WRC to 100.
- Reform the **WRC compensation structure**.
- Amend the Industrial Relations Act 1990 to **remove unnecessary legal interference in trade-union activity**.
- **Improve public procurement procedures** and state investment strategies by ensuring that the process is weighted in favour of firms which recognise unions and comply with other equality and environmental best practices.
- Legislate to ensure that union representatives in workplaces **receive adequate time and resources to conduct union activity**, restore tax relief on trade-union subscriptions, and mandate the deduction of union subscriptions at source where union members are in favour.
- Legislate to improve Irish employees' work-life balance by strengthening legislation concerning workers' **right to flexible work**.
- Promote equality in the workplace by requiring companies to publish **gender-pay gap information** and take measures, in consultation with worker representatives, to overcome gender-pay gaps.
- Expand **leave entitlements** to those who suffer from early miscarriage or require other fertility or reproductive health-related treatment.
- Increase the availability of **apprenticeships across the public sector** as committed to in the Action Plan for Apprenticeships 2021-2025.
- Ensure apprenticeships result in **economically transferable skills** and do not become a form of cheap labour with non-transferrable skills.

Resolving Pension Issues

A number of issues to do with public sector pensions have been allowed to fester under the current government. The Social Democrats will:

- Engage constructively with workers' representatives to address public sector pensions issues, including protections and entitlements.
- Address fairness and retention issues for uniformed service personnel (gardaí, defence forces, fire service and prison service) caused by the single public sector pension scheme through a supplementary pension, negotiated with their representatives.
- Increase the statutory time limit (currently six months) for retirees to raise issues regarding pension entitlements.

Towards Economic Democracy

As Social Democrats we believe that democracy should not be confined to the political sphere but extended to the economic sphere as well. **We support measures to democratise the economy** and recognise the potential benefits of this, particularly, in developing Ireland's indigenous economy and tackling the country's high levels of wealth inequality. The Social Democrats will:

- Ensure that national and local government's economic policies and state development agencies give adequate consideration to the potential for development of **worker owned co-operatives**.
- Legislate to allow worker co-operatives **first refusal in the purchase of profitable companies** closing their business in Ireland.
- Legislate to ensure that a **third of board members** in large companies are directly elected by employees.
- Consider the establishment of Inclusive Ownership Funds which would give employees at large companies a portion of shares in the company. These would be newly issued shares and held collectively.
- This would enable individual employees to receive a capped dividend while also earning capital for largescale democratically managed investment in the economy. (For example, public housing construction, universal public health and social care systems, retrofitting homes, public transport projects, and investment in skills training for a just transition to a green economy).

Paid Leave for Workers

The Social Democrats are committed to **extending and vastly improving entitlement to paid leave for workers and flexible work options.**

Ireland lags far behind most other EU countries in terms of both paid and unpaid leave. This is not in the interests of employers, workers or children. Our leave system should be providing far better support and flexibility for parents.

During the 32nd Dáil we published a Bill which extended unpaid parental leave to six months and raised the qualifying age from 8 to 12 years, and we fought hard to get it through the Houses of the Oireachtas. As a result, new parental leave entitlements came into force in September 2019.

The feedback we received on this Bill tells us there is huge public demand to extend both paid and unpaid parental leave much further. **Parents want the option of spending time with their children while also retaining the right to return to their employment.** This is not too much to ask.

The Social Democrats favour the **extension of paid parental leave** so that in conjunction with paid maternity leave, paternity leave and existing paid parental leave, the **first 12 months of a child's life can be covered by paid leave.** It would be shareable between parents.

In our Alternative Budget 2025, we called on Government to:

- **Increase paid parents' leave by 4 weeks** for each parent, to a total of 13 weeks each, and
- **increase benefit payments to €350 per week** for Maternity, Paternity, Adoptive and Parents' benefit.

This would allow paid parents' leave and maternity leave to cover the full first year of a child's life.

We should also be moving to a situation where the overall amount of paid and unpaid leave for parents is extended to the European average of **around 100 weeks per child.** We would also like to see the general child qualifying age for unpaid parental leave extended to 16 years.

Flexible Work and the 4-day Working Week

It is clear from the uptake of the existing limited flexible work options that there is a high demand for these options.

In addition, there is **growing interest among workers and employers in providing for a 4-day working week**. This is already available and promoted in many other countries and the outcomes have been generally very positive.

The demand for more flexible working is especially strong from workers with young children, those caring for an older person or a family member with a disability, and generally where people are seeking a better work/life balance.

We will establish a Commission to **research, trial and set out a pathway to the introduction of a right to flexible work** including working from home, term-time working, and a 4-day week, and to ensure that it works for workers of all types, and for large and small employers.

We also recognise that parents of children with disabilities and certain carers have particular demands on their time and require further flexibility. We will **raise the qualifying child age for unpaid parental leave to 16 years and to 18 years for children with disabilities**.

We will provide for this and other flexibilities through a **new Family Leave Act** in consultation with representatives from those sectors.

This Act would also include making it **compulsory for employers with more than 250 employees to make publicly available** their policies regarding their financial contributions to Maternity Leave, Paternity Leave and Parents' Leave for their employees.

This would recognise that when a person is applying for a role in a new company, information regarding that company's policy on such contributions would be beneficial to the prospective employee, though requesting that same information might incur prejudice in the competition for the role.

Separately, we will seek to increase the number of **annual bank holidays in Ireland** towards the EU average.

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