



Coimisiún na hÉireann um Chearta
an Duine agus Comhionannas
Irish Human Rights and Equality Commission

Parallel report on implementation of the revised European Social Charter (Articles 2, 3, 4, 5, 6 & 20 on Labour Rights)

Irish Human Rights and Equality Commission

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The Irish Human Rights and Equality Commission was established under statute on 1 November 2014 to protect and promote human rights and equality in Ireland, to promote a culture of respect for human rights, equality and intercultural understanding, to promote understanding and awareness of the importance of human rights and equality, and to work towards the elimination of human rights abuses and discrimination.

Contents

Glossary	2
Recommendations	3
Introduction	9
Who we are	9
Domestic context	10
Article 2: Right to Just Conditions of Work	13
2.1: To provide for reasonable daily and working hours	13
Article 3: Right to Safe and Healthy Working Conditions	18
Article 3.1: Health and Safety and the work environment.....	18
Article 3.2: Healthy and Safety regulations	20
Article 3.3: Enforcement of health and safety regulations	21
Article 4: Right to Fair Remuneration	26
Article 4.3: Right of men and women to equal pay for work of equal value.....	26
Article 5: Right to Organise	29
Article 6: Right to Bargain Collectively	32
Article 6.1: Right to engage in joint consultations.....	32
Article 6.2: Collective bargaining	35
Article 6.4: Collective Action	37
Article 20: Right to Equal Opportunities Between Women and Men	40

Glossary

AI	Artificial Intelligence
An Garda Síochána	Police
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
ECSR	European Committee on Social Rights
EPIC	Equal Pay International Coalition
GRETA	Council of Europe Group of Experts on Action against Trafficking in Human Beings
ICTU	Irish Congress of Trade Unions
ISEQ20	Irish Stock Exchange Quotient 20
JLCs	Joint Labour Committees
LCDC	Local Community Development Committee
LEEF	Labour Employment Forum
NESC	National Economic and Social Committee
OWTA	Organisation of Working Time Act
WRC	Workplace Relations Commission

Recommendations

Article 2: Right to Just Conditions of Work

IHREC recommends that:

- the State clarify what legislative and administrative processes are in place to prevent dangerous levels of overwork among employees exempt from the OTWA/Working Time Directive, including Gardaí, Defence Forces personnel, civil protection workers, family employees and workers deemed to control their own hours.
- the State provide updated information on civil protection workers, including whether there is intention to bring this category of worker under the remit of the OWTA/Working Time Directive.
- the State take steps to raise awareness of labour rights, including right to reasonable working hours and rest periods, among migrant workers who are at higher risk of labour exploitation.
- the State clarify the working time protections applicable to seafarers, including whether the legislative framework continues to permit working hours up to 72 hours per week, and what steps are being taken to address risks of exploitation on Irish and foreign-flagged vessels operating in Irish waters.
- the State take proactive measures to prevent bogus self-employment and misclassification of being in control of own working hours, where such practises are used to avoid obligations under the OWTA and Working Time Directive, as well as other employer obligations.
- the Workplace Relations Commission make targeted inspections of sectors at high-risk of human trafficking a permanent practice, as these are high-risk for breaches of working time legislation and other forms of labour exploitation, and a tool towards screening and early detection of possible cases of human trafficking.

- the State establish strengthened and clearly communicated ‘fire-walls’ between labour inspections conducted by the Workplace Relations Commission and immigration enforcement, to encourage complaints from victims and facilitate early detection of cases of exploitation, forced labour and human trafficking.

Article 3: Right to Safe and Healthy Working Conditions

IHREC recommends that:

- the State publish the results of public consultation on the EU Directive on Platform Work without delay.
- the State ensure that draft legislation transposing the EU Directive on Platform Work provides robust protections for platforms workers’ health and safety and publish it with sufficient time to allow for proper pre-legislative scrutiny.
- the State consider adopting specific health and safety measures to address growing climate-related workplace risks, including during periods of extreme weather, particularly for essential workers and those that cannot work from home.
- the State provide data, disaggregated by demographic characteristics and employment sectors, on the use to date of the Code of Conduct on the Right to Disconnect, including complaints, inspections, decisions, and remedies by the WRC.
- the State place the right to disconnect on a stronger legislative footing, with enhanced monitoring and enforcement mechanisms
- the State address gaps in protection arising from platform work, bogus self-employment, and other non-traditional working arrangements, to ensure that all workers have an enforceable and effective access to health and safety protections, regardless of employment status.

- the State review the employment permit system to empower migrant workers to report unsafe or exploitative working conditions, and leave exploitative employers without risking their immigration status.
- the Workplace Relations Commission develop targeted inspection and enforcement strategies for sectors at high-risk of labour exploitation or in which structurally vulnerable workers are overrepresented.
- the State publish the Code of Practice on Reasonable Accommodation in the workplace, to ensure the health and safety of disabled people in the workplace.

Article 4: Right to Fair Remuneration

IHREC recommends that:

- the State clarify the timeline for publication and enactment of legislation that will fully transpose the EU Pay Transparency Directive;
- the State ensure that all legislation transposing the EU Pay Transparency Directive is published with sufficient time to ensure proper pre-legislative scrutiny by all stakeholders, and that it includes effective sanctions, remedies, and enforcement mechanisms;
- the State obligate employers to collect and publish pay data disaggregated across the equality grounds protected under the *Employment Equality Acts*;
- the State provide adequate resources to IHREC to fulfill its statutory functions under the *Gender Pay Gap Information Act 2021*

Article 5: Right to Organise

IHREC recommends that:

- the State to clarify what percentage of workers should be covered by a collective agreement by the end of the Action Plan to Promote Collective Bargaining in 2030.
- the State strengthen legal protections against victimisation in the workplace.
- the WRC provide data, disaggregated by demographic characteristics and employment sectors, on the number of complaints relating to victimisation lodged at the WRC.
- the State increase the legal obligation on employers to engage with union representatives in the workplace, in order to strengthen employee access to collective bargaining, in line with obligations under the EU Directive on Adequate Minimum Wages.

Article 6: Right to Bargain Collectively

IHREC recommends that:

- the State to establish a platform to support deeper social dialogue between workers, employers, and Government on the potential impacts of AI and other forms of digitisation on jobs and the labour market, and how the benefits of the digital transition can be harnessed and shared equitably, in line with the principles of the decent work agenda.
- the State to support continued social dialogue and joint consultation with workers and other social stakeholders on the Just Transition, in acknowledgement that addressing employment vulnerabilities associated with the Just Transition is critical for its long-term success.
- the State to clarify whether there is any consideration to use Joint Labour Committees to regulate standards in the gig economy/Platform Work sector, in line with obligations under the EU Directives on Platform Work and Minimum Wages.

- the State to take immediate action to address the ongoing absence of a statutory right to collective bargaining.
- the forthcoming National Action Plan on Business and Human Rights recognises the right to decent work, including the right to collective bargaining, and include specific actions to respect and protect the right to decent work of structurally vulnerable groups.
- the prohibition on *An Garda Síochána* members' right to strike be removed, in order to bring the current legislative framework into conformity with Article 6.4 of the Charter.

Article 20: Right to Equal Opportunities Between Women and Men

IHREC recommends that:

- the State create a detailed, ambitious and adequately resourced roadmap on transitioning to a public model of Early Childhood Education and Care by 2030.
- the State to undertake an awareness campaign to promote the uptake of parental leave and paternity leave by men
- the State to proactively address institutional discrimination and structural barriers impacting women's labour market access, including for older women seeking to re/join the labour market; recognition of international qualifications; language requirements; the prevalence of zero-hour contracts among ethnic minority, asylum seeking and refugee women; and the tokenistic rather than meaningful employment of disabled women?
- the State to urgently address pension inequality in Ireland, including through the implementation of a Universal State Pension system.
- the State to provide sufficient remuneration for Local Councillors to remove barriers to the recruitment and retention of women in politics

- the State to prioritise the fully implementation of the recommendations of the Task Force on Safe Participation in Political Life.
- the Guidelines for the Establishment and Operation of Local Community Development Committees be amended to include a mandatory gender balance requirement on each Committee.
- the State to undertake research on gender inequality in senior Public Service positions and on State boards, and to implement the recommendations to increase gender balance.
- the State to clarify what measures are being taken to implement the CEDAW Committee's 2025 priority recommendation to ensure gender parity in decision-making, through temporary special measures in both the public and private spheres.

Introduction

Who we are

The Irish Human Rights and Equality Commission is Ireland's independent National Human Rights Institution and National Equality Body. We are mandated to protect and promote equality and human rights in Ireland, keep under review the adequacy and effectiveness of law and practice in the State relating to the protection of equality and human rights, and to make recommendations to the Government in relation to the measures that we consider should be taken to strengthen, protect and uphold equality and human rights in the State.

We are also the Independent Monitoring Mechanism for Ireland under the United Nations Convention on the Rights of Persons with Disabilities; the independent National Rapporteur on the Trafficking of Human Beings; and, pending ratification, will be assigned the role of the Co-ordinating National Preventive Mechanism under the Optional Protocol to the Convention against Torture. Alongside Northern Ireland's human rights and equality bodies, we have a mandate to consider and report on equality and rights issues with an island of Ireland dimension. We also have legal powers under the *Gender Pay Gap Information Act 2021*, and a fundamental rights role in relation to the *EU Artificial Intelligence Act*.

This submission responds to the European Committee of Social Rights' targeted questions to the State, and to the State's National Report on Articles 2, 3, 4, 5, 6, and 20 of the Revised European Social Charter. It draws on IHREC's previous work on labour rights, including our:

- [Policy Statement on Business and Human Rights \(2026\)](#),
- Submission to UN [Committee on the Convention on the Elimination of All Forms of Discrimination Against Women](#) (2025);
- [Employer Guide for Traveller and Roma Inclusive Employment](#) (2025)
- Submission to the UN [Committee on Economic, Social and Cultural Rights \(2024\)](#),
- Research on [collective bargaining and the Irish Constitution \(2023\)](#),

- Work on human trafficking, most notably our [2025 submission to the Council of Europe Group of Experts on Action against Trafficking in Human Beings \(GRETA\)](#), which overlaps with labour exploitation issues,
- Previous submissions to the [European Committee on Social Rights \(ECSR\)](#)
- Work on [equal pay \(2022\)](#),
- Joint [research report with the ESRI on monitoring decent work](#) (2021).

Domestic context

Ireland is commended for having full employment, with one of the lowest unemployment rates in the EU.¹ However, headline employment figures, do not, in themselves, demonstrate compliance with the labour rights contained within the Social Charter. Therefore, the ECSR's assessment should consider the quality of the work available, the effectiveness of existing labour protections, and the extent to which structurally vulnerable groups can access decent work. IHREC has previously emphasised that the State's 'full employment' narrative does not necessarily take account of the quality of those jobs, nor does it acknowledge that certain marginalised groups face barriers in exercising their labour rights, accessing decent work, and participating in the benefits of this period of full employment.² We understand decent work as consisting of six interrelated dimensions:

- Access to work
- Adequate earnings
- Employee voice
- Security and stability

¹ According to the [Central Statistics Office](#), there were a record 2.82 million people in work as of the end of 2025, with unemployment at 5.0% compared to the EU average of 6.0%.

² Irish Human Rights and Equality Commission (2024) Submission to the Committee on Economic, Social and Cultural Rights on Ireland's fourth periodic report. IHREC's 2025 [Submission to the UN Committee on the Rights of Persons with Disabilities](#) highlights that disabled people in Ireland have the fifth highest rate of unemployment in Europe, with many barriers to accessing work, including attitudinal barriers, discrimination, inflexibility of working hours, inaccessible and irregular public transport and workspaces, unaffordable private transport, and difficulties in securing reasonable accommodations. pg.102-105.

- Equality of opportunity
- Health and safety.

The State should not only focus on increasing the quantity of people in employment, but ensure the jobs provided are of a decent quality according to these dimensions.

This is particularly important in the context of the green and digital transitions. Developments related to artificial intelligence, the digitisation of work through the rise of remote and platform work, decarbonisation of the economy, and the changing skill sets required to navigate it, are currently reshaping the Irish labour market and will continue to do so into the future. These transitions may have the potential to create opportunities for high-quality employment,³ but they also carry risks of job displacement,⁴ increased precarity,⁵ weakened bargaining power and unequal access to new opportunities. A human rights and equality-based approach is therefore essential to ensuring that these transitions are just, inclusive and grounded in the principles of decent work.⁶

³ ESRI research on the labour market impact of the green transition in Ireland shows that ‘green employment’ – jobs in sectors that directly relate to green technologies and processes, protection of the environment, waste management, energy preservation and management of natural resources – in Ireland has been trending slightly upwards, from 8% in 2011 to 10% in 2023, which puts Ireland with the third highest incidence of green jobs in Europe. Green jobs are typically higher skilled and have higher pay than ‘brown jobs’ – those related to highly polluting activities, such as mining and manufacturing. Green jobs in Ireland are also found to be of a somewhat higher quality compared to green jobs in other EU countries. ESRI Working Paper No. 809 (Sept 2025) [Assessing the labour market impact of the Green Transition in Ireland](#).

⁴ [Analysis from the ESRI](#) illustrates that AI adoption is likely to displace around 7% of Irish workers in the short to medium term, with higher-educated, higher-income white collar workers most affected. The displacement of white-collar workers through AI adoption could increase demand for low-skill jobs, while simultaneously decreasing demand for goods and service, both of which could result in more displacement of lower-educated workers. In a scenario in which there is greater competition for low-skill jobs, there is a risk of a ‘race to the bottom’ on labour rights, weakened bargaining power, and increased precarity and exploitation.

⁵ Social Justice Ireland (2024) has noted that platform work tends to be low-skill, low-wage and precarious: [Platform Working: Submission to the Joint Committee on Enterprise, Trade and Employment](#). There is not much research or data available on platform work in the Irish context, however research in other EU members states raise concerns that it facilitates exploitative, even illegal practises. See for example Human Rights Watch (14 April 2026) [Gig Workers in France Need Protection as Regulations Take Shape](#)

⁶ IHREC (2023) [Policy Statement on a Just Transition](#).

We are also concerned about the narratives around competitiveness within the EU and the need for ‘simplification’ for Europe to become more globally competitive. While reducing unnecessary administrative burdens is a legitimate aim, many simplification measures and proposals appear to be driven by corporate lobbying, including from outside the EU, and risks deregulation by the back door at the expense of fundamental rights, equality and non-discrimination protections, environmental protection, transparency, and workers’ rights.⁷ Businesses and workers benefit from a stable regulatory environment grounded in legal certainty, accountability and social cohesion.⁸ Labour rights should therefore be understood as central to Ireland’s economic and social resilience, rather than as an obstacle to competitiveness.⁹

The State should not let narratives around competitiveness be used to erode existing labour rights protections or dilute EU protections that are intended to promote equality at work and critically interrogate any claims that labour protections need to be weakened in the name of EU economic growth, security, or sovereignty. This will be especially important during Ireland’s Presidency of the Council of the European Union during the latter half of 2026.

⁷ An ‘Omnibook’ produced by BusinessEurope calls for the simplification of various EU Directives relating to labour rights and employment conditions, including several Directives cited throughout the State report, including the Working Time Directive, the Pay Transparency Directive, and the Platform Work Directive. BusinessEurope (Jan 2026) [The BusinessEurope Omnibook to Reduce Regulatory Burdens](#). If implemented, these changes would, among other things, reduce employer obligations to track rest periods and working hours, to report on gender pay gaps, and to provide human oversight of algorithms directing workers engaged in platform work.

⁸ IHREC (2026) [Policy Statement on Business and Human Rights](#)

⁹ Research of 235 large, global firms in high-risk sectors has shown that “respecting human rights and maintaining competitiveness are not a dilemma, but are in fact compatible goals”. Evidence shows that stronger corporate human rights performance is associated with positive financial outcomes. See United Nations Development Programme, [Human Rights vs. Competitiveness – A False Dilemma? Data on the Financial Implications of Corporate Human Rights Performance](#) (2025). See also Council of Europe, [Human rights and competitiveness: Reframing the business case for human rights](#) (2025).

Article 2: Right to Just Conditions of Work

2.1: To provide for reasonable daily and working hours

The ECSR asked the State to provide information on which occupations can legally exceed 60 hours or more by law, and information on safeguards to protect the health and safety of workers in those occupations. In its response, the State noted that certain categories of workers are exempt from the *Organisation of Working Time Act (OWTA) 1997* as revised by the *European Communities (Organisation of Working Time) (Defence Forces) Regulations 2025 (S.I. No. 11 of 2025)*, gives effect to the EU Working Time Directive and limits working hours to an average of 48 hours per week. *An Garda Síochána* [the Irish police], self-employed people and people who have control over their own working hours, family employees on farms or private homes, and certain categories of civil protection workers are exempt from the 48-hour working week.¹⁰ However, the State response does not specify the maximum allowable hours these workers may lawfully work, nor does it provide sufficient detail on safeguards to prevent levels of overwork in those categories.¹¹ Additionally, the State has not identified any legislative amendment to bring civil protection workers under the OWTA/Working Time Directive, despite the ESC Committee's previous suggestion.¹²

Despite the legal protections offered to most categories of workers by the OWTA and Working Time Directive, reports of working hours beyond the allowable 48 hours per week are commonplace. For example, a 2023 report¹³ found that 14.9% of workers worked long hours,

¹⁰ (S.I. No. 11/2025) came into effect on 25 January 2025 and brought the Defence Forces under the remit of the OWTA: [Working Time Directive implemented for Defence Force personnel](#)

¹¹ There is evidence that potential dangerous levels of working hours takes place in these categories: for example, an audit of Garda payroll found that some were working 'unsafe' amounts of overtime that potentially place themselves and the public at risk: Irish Independent (5 March 2021) '[Garda audit uncovers unsafe number of working hours and double-jobbing](#)'

¹² European Committee of Social Rights Conclusions (2022) Ireland.

¹³ Geary, J and Wilson, L. (2023) [Job Quality in Ireland: First findings from the UCD Working in Ireland Survey, 2021.](#)

defined as working 49 or more hours per week. There are marked gender differences, with 21.6% of males working long hours compared to 7.2% of females. There are also significant differences by age, with middle aged workers having the highest likelihood of working long hours. A separate report ¹⁴found that 23% of doctors self-reported working more than 48 hours per week, raising concerns in relation to doctor wellbeing and patient safety. A survey of migrant workers in Ireland¹⁵ found that 27% consistently worked more than 48 hours a week, 27% were not given proper breaks, and 6% were not given at least one day off a week, among other violations of labour rights. Overall, they found that 71% of migrant workers experienced violations of their labour rights, and 51% did not report it. Migrant workers are particularly susceptible to violations of labour rights as the current system of employment permits makes it difficult for permit holders to change employer, and consequently permit holders are fearful of reporting issues, or are not aware of their options.¹⁶

The Workplace Relations Commission (WRC) is the primary mechanism to vindicate violations of labour rights, including breaches of the OMTA/Working Time Directive. However, the general six-month time limit on bringing a case to the WRC, backlogs of cases and other administrative barriers, can have the effect of hindering its effectiveness. Although victims of labour exploitation can in theory get a remedy through the WRC, it is often not as accessible as it should be, as many victims lack awareness of their rights, have poor understanding of criminal and civil processes for redress, lack access to legal representation, and receive limited support in their vindication of their rights at the WRC.¹⁷ Undocumented workers are precluded from bringing complaints before the WRC or the Labour Court.¹⁸

¹⁴ Medical Council (2024) [Medical Workforce Intelligence Report](#), pg. 5

¹⁵ Migrant Rights Centre Ireland (2026) [Tied to Exploitation: The experience of migrant workers in Ireland](#).

¹⁶ Migrant Rights Centre Ireland (2026) [Tied to Exploitation: The experience of migrant workers in Ireland](#).

¹⁷ IHREC (2024) [Ireland and the International Covenant on Economic, Social and Cultural Rights](#).

¹⁸ IHREC (2025) [Ireland's Actions Against Trafficking in Human Beings: Submission to the Council of Europe Group of Experts on Action against Trafficking in Human Beings \(GRETA\)](#). pg 69.

In 2025, the WRC received 1,550 complaints regarding hours of work, while 1,992 (10%) WRC cases cited the OWTA during adjudication.¹⁹ The majority of WRC convictions for breaches of the OWTA in 2025 were in food services and hair and beauty services; jobs that are typically filled by migrants and migrant women.²⁰ This data illustrates that precarious, low-paid and migrant workers are among those most at risk of excessive working hours, inadequate rest periods, and inadequate access to remedy.

The State was also asked to provide information on the weekly working hours of seafarers. Previously Ireland had been found to be non-compliant with Article 2.1 as seafarers could legally work up to 72 hours per week.²¹ We note that the legislation cited in the State report has not been amended since the prior findings of the ESC Committee on this issue. IHREC has previously addressed potential trafficking for labour exploitation of seafarers in its 2025 submission to GRETA,²² welcoming the increased number of WRC inspections in the commercial sea-fishing sector and noting reports of improvements with the situation of migrant fishers, attributed to the abolition of the Atypical Work Permit Scheme, which was closed due to repeated allegations of labour exploitation.²³ However, it was noted that issues remain, including in circumstances where the WRC does not have the power to inspect foreign-flagged fishing vessels operating in Irish seas, and that there is an increasing trend of seafarers being classified as self-employed, rather than directly employed by the owner of the vessel.²⁴ We note that workers may be falsely categorised as self-employed or in full control of

¹⁹ Workplace Relations Commission (2025) [Annual Report](#)

²⁰ Workplace Relations Commission (2025) [Annual Report](#)

²¹ European Committee of Social Rights (2022) Conclusions on Ireland

²² IHREC (2025) [Ireland's Actions Against Trafficking in Human Beings: Submission to the Council of Europe Group of Experts on Action against Trafficking in Human Beings \(GRETA\)](#).

²³ Visaverge (2025) [Only six permits issued in first year of Ireland's migrant fisher scheme](#)

²⁴ IHREC (2025) [Ireland's Actions Against Trafficking in Human Beings: Submission to the Council of Europe Group of Experts on Action against Trafficking in Human Beings \(GRETA\)](#). pg.61-62.

their working hours in an effort to evade obligations under the OMTA, as well as social insurance and tax obligations.

Recommendations:

IHREC recommends that the State clarify what legislative and administrative processes are in place to prevent dangerous levels of overwork among employees exempt from the OMTA/Working Time Directive, including Gardaí, civil protection workers, and family employees and workers deemed to control their own hours.

IHREC recommends that the State provide updated information on civil protection workers, including whether there is intention to bring this category of worker under the remit of the OMTA/Working Time Directive.

IHREC recommends that the State take steps to raise awareness of labour rights, including right to reasonable working hours and rest periods, among migrant workers who are at higher risk of labour exploitation.

IHREC recommends that the State clarify the working time protections applicable to seafarers, including whether the legislative framework continues to permit working hours up to 72 hours per week, and what steps are being taken to address risks of exploitation on Irish and foreign-flagged vessels operating in Irish waters.

IHREC recommends that the State take proactive measures to prevent bogus self-employment and misclassification of being in control of own working hours, where such practices are used to avoid obligations under the OMTA and Working Time Directive, as well as other employer obligations.

IHREC recommends that the Workplace Relations Commission adopt a permanent practice of conducting targeted inspections of sectors at high-risk of human trafficking, as these are high-risk for breaches of working time legislation and other forms of labour exploitation, and could operate to screen for and detect possible cases of human trafficking.

IHREC recommends that the State establish strengthened and clearly communicated ‘fire-walls’ between labour inspections conducted by the Workplace Relations Commission and immigration enforcement, to encourage complaints from victims and facilitate early detection of cases of exploitation, forced labour and human trafficking.

Article 3: Right to Safe and Healthy Working Conditions

Article 3.1: Health and Safety and the work environment

The ECSR requested further information on the content and implementation of national policies on psychosocial or new and emerging risks, including in the gig or platform economy; in relation to telework; in jobs requiring intense attention or high performance; in jobs related to stress or traumatic situations at work; and in jobs affected by climate change risks. In its response, the State outlines the general occupation health and safety framework under the *Safety, Health and Welfare at Work Act 2005*, the role of Health and Safety Authority, and the obligation on employers to identify potential hazards, including psychosocial ones, and take steps to mitigate them.

IHREC welcomes the Committee's emphasis on psychosocial risks, and recognition that remote work, platform work and climate-related risks fall within the remit of occupational health and safety, which IHREC considers an essential component of the decent work agenda. However, we note heavy reliance on general legislation and guidance and voluntary measures that may be difficult to practically apply in non-traditional work settings such as those identified by the Committee. We also note the absence of a legal obligation to report on absences due to stress, and lack of methods to investigate incidences of stress leave comparable to workplace accidents, which points to a gap in the monitoring and enforcement of psychosocial risks.

In relation to gig or platform work, the State notes that it is currently in the process of transposing the EU Directive on Platform Work. Ireland, like other EU member states, must transpose the Directive by 2 December 2026. The Department of Enterprise, Tourism and Employment reports that it is on track to transpose the Directive within this time frame and has consulted with other government departments and is currently considering the results of a public consultation process and intends to publish the results 'in due course'.²⁵ Although

²⁵ [Dáil Éireann Debate on Labour Market](#), Thursday 16 April 2026.

there is limited data available on the extent of platform work in Ireland, IHREC is concerned that its growing prevalence contributes to precarity, low-pay and limited access to social protection and employment rights, as well as other psychosocial risks such as social isolation, reduced autonomy, and increased risk of anxiety and stress. There is no detail in the State response on how inspection and enforcement bodies are currently addressing risks arising within the platform work sector, nor any future plans for inspection and enforcement under the EU Directive. We also remain concerned that lobbying efforts at the EU level aimed at diluting some aspects of the Directive could see planned legislation weakened before transposition.

Climate change presents a growing risk to safe and healthy working conditions. There is currently no legal definition of acceptable working temperatures, only an obligation that employers have to ensure a ‘reasonable temperature’, on which the Health Safety Authority gives guidance as being between 18 and 23 degrees Celsius in an office environment. The *Safety, Health and Welfare at Work Act 2007* only provides a legally binding minimum for acceptable workplace temperature, but no maximum.²⁶ Given Ireland’s historically temperate climate, it may not have previously been necessary to define in law the upper boundary of acceptable working temperatures, but as climate change makes extreme weather more commonplace, consideration should be given to defining upper limits.²⁷ There is also no statutory entitlement for an employee to be paid if they cannot attend work because of extreme weather; currently any better arrangement is dependent on local agreement. Official government messaging during red weather warnings is that people should avoid travelling and stay home wherever possible, and that driving for work should be limited to

²⁶ Health and Safety Authority: [Code of Practice for Indoor Air Quality](#) pg. 15. The Safety, Health and Welfare at Work (General Application) Regulations 2007 state that the legal lower limit to observe for sedentary office work is 17.5 °C; this minimum temperature should, as far as is reasonably practicable, be achieved and maintained at every workstation after the first hour of work. For other sedentary work, at every workstation where a substantial proportion of the work is done sitting and does not involve serious physical effort, a minimum temperature of 16 °C must, as far as is reasonably practicable, be achieved and maintained after the first hour of work. The law also requires that means be available to enable persons at work to measure the temperature in any workplace inside a building.

²⁷ ETUC (2022) [Climate crisis requires EU law on maximum working temperatures](#).

essential journeys only. However, workers who do not attend the workplace have no statutory right to pay, creating economic pressure on some workers to travel to and from work in unsafe conditions.²⁸

In relation to telework, IHREC welcomes the State's acknowledgement that remote work can result in specific psychosocial risks, however the response does not adequately address the relationship between remote work, blurring of work and private life, excessive working hours and the 'right to disconnect'. IHREC has previously raised concerns, echoed in the ECSR's 2022 Conclusions, that remote work can blur the lines between work and personal life, and that the [Code of Conduct on the Right to Disconnect](#) should be placed on a legislative footing and given stronger enforcement mechanisms. As the Code is non-binding, an employee cannot currently bring a claim for breach of the Code or breach of the right to disconnect to the Workplace Relations Committee in its own right, and to date there have only been a handful of complaints mentioning the right to disconnect since the Code came into force in April 2021. Employees have occasionally included as part of their WRC complaints a claim that their right to disconnect has not been respected, but as of March 2025 this had not resulted in a finding that an employer has failed to comply with the Code in any case.²⁹

Article 3.2: Healthy and Safety regulations

The State was asked to provide information on the right to disconnect, and the right not to be penalised for refusing to undertake work outside normal working hours is ensured. In the response under Article 3.2, the State refers to the *Organisation of Working Time Act 1997*, which provides the legal right for entitlements to breaks, minimum weekly rest periods, maximum weekly working time, minimum paid annual leave entitlements and provisions regarding night work. The State also refers to section 26 of the Act, which protects employees from penalisation for asserting their rights, and to the Code of Conduct on the Right to

²⁸ The only fatality in Ireland during Storm Eowyn in January 2025 was young man returning home from work: RTE News (30 Jan 2025) '[Girlfriend of man killed during storm says he was 'love of my life'](#)'

²⁹ Mayer Brown (2025) [Ireland: The Right to Disconnect Q&A](#)

Disconnect. As noted above, the Code does not create a standalone, legally enforceable right, and while it may be admissible in proceedings before the courts or the WRC, the State has not provided any evidence that its introduction has resulted in effective enforcement.

The State was also asked to provide information on the measures taken to ensure that self-employed workers, teleworkers and domestic workers are protected by occupational health and safety regulations, and whether temporary workers and workers on fixed-term contracts enjoy the same standard of protection under health and safety regulations as workers on contracts with indefinite duration. While all workers have the same protections under the *Safety, Health and Welfare at Work Act 2005*, there is a lack of detail on how these protections can be practically enforced for workers in non-traditional workplace relationships or spaces. This is particularly relevant for certain groups of workers, such as migrant workers under a tied employment permit, platform and gig workers, and workers misclassified as self-employed, many of whom may be either unaware of their rights and how to enforce them or may fear losing their job or work permit.

Article 3.3: Enforcement of health and safety regulations

In its targeted question under Article 3.3, the ECSR asked the State to provide information on measures taken to ensure the supervision of health and safety regulations concerning vulnerable categories of workers, including domestic workers, digital platform workers, teleworkers, posted workers, workers employed through subcontracting, self-employed workers, and workers exposed to environmental risks such as climate change and pollution.

In response, the State states that every person has the right to a safe workplace and that vulnerable workers may be particularly sensitive or over-exposed to occupational safety and health risks. The State identifies a broad range of vulnerable workers, including young workers, new and expectant mothers, night and shift workers, older workers, new or inexperienced workers, migrant workers, gig and platform workers, low-qualified workers, workers for whom English is not a first language, agency and temporary workers, disabled workers, workers with underlying health issues, and lone workers. IHREC welcomes the State's recognition that vulnerability is not necessarily limited to a fixed category of workers,

and that workers may become vulnerable due to a range of personal and job-related factors. We also welcome the State's confirmation that employers are required to assess risks to safety and health at work, develop safety statements in consultation with employees and their representatives, and ensure that all workers have equal rights under Irish health and safety law.

However, the State's response is overly general and does not provide sufficient evidence that health and safety protections are being effectively supervised for vulnerable workers in practice. The State refers to the general inspection functions of the Health and Safety Authority and the labour inspectorate, but does not provide disaggregated data on inspections, enforcement actions, complaints, sanctions or outcomes concerning the specific categories of workers identified by the Committee. This makes it difficult to assess whether domestic workers, digital platform workers, teleworkers, posted workers, subcontracted workers, self-employed workers and workers exposed to climate-related risks are effectively protected.

The State notes that HSA inspectors carry out inspections across all work sectors and activities, including sectors where structurally vulnerable workers may be employed. However, it also states that most inspections are targeted at high-risk sectors such as construction, agriculture, forestry, manufacturing, mines, quarries, transport of dangerous goods by road, and the chemical sectors. While these sectors clearly require strong supervision, the State does not explain how inspection models are adapted for less visible, harder-to-reach workers or workers at particular risk of labour exploitation, including domestic workers, platform workers, migrant workers, or workers who may be afraid to report unsafe conditions.³⁰ IHREC's work on trafficking has identified domestic workers as

³⁰ The WRC reported that between 2011 and 2024, 243 inspections were aimed at the domestic work sector with approximately €52,000 in unpaid wages recovered. The Commission does not have information on the number of domestic inspections carried out in 2024 alone. No suspected victims of trafficking in domestic labour were identified for referral by WRC in 2024. In 2025, the WRC reported its intention to focus on domestic work in 2026. The WRC has guidance for domestic workers in eight languages. The rights of persons employed in private homes are set out in a Code of Practice produced by the WRC in consultation with representatives of social partners. IHREC (2025) [Ireland's Actions Against Trafficking in Human Beings: Submission to the Council of Europe Group of Experts on Action against Trafficking in Human Beings \(GRETA\)](#).

particularly at risk of labour exploitation, and note that inspection and monitoring are particularly difficult in circumstances where the work is carried out in private homes. WRC cases concerning domestic workers are mostly raised by complaint or referral, rather than inspection.

Research about whether migrants can effectively access the supervisory and enforcement mechanisms referred to by the State raises serious concerns.³¹ We are also concerned about the link between precarious work, bogus self-employment and ineffective enforcement. National legislation prohibiting zero-hour contracts does not cover all categories of precarious work and applies to employees but not independent contractors. There remains a significant gap between the legislative prohibition of zero-hour contracts and the protection of all workers in practice.³² Where workers are misclassified as self-employed, they may be deprived of important employment rights and protections, including health and safety protections. Further proactive measures are needed to protect workers from bogus self-employment, including in the platform economy.

The State's response also does not sufficiently address the supervision of health and safety risks in digital platform work. While the State recognises gig and platform workers as vulnerable workers, it does not provide information on targeted inspections, enforcement activity, or measures to address risks arising from algorithmic management, automated monitoring, work intensification, psychosocial pressure, or unclear employment status.

IHREC has previously highlighted the difficulties faced by disabled people in securing reasonable accommodations in the workplace, which are essential for maintaining a safe and healthy workplace for disabled workers. There is currently no statutory obligation on an employer to consult with an employee when responding to a request for reasonable accommodation. In recognition there is a need for training across all sectors on disability inclusion and reasonable accommodation, in 2023 IHREC submitted a draft Code of Practice

³¹Migrant Rights Centre Ireland (2026) [Tied to Exploitation: The experience of migrant workers in Ireland](#).

³² Irish Human Rights and Equality Commission (2024) Submission to the Committee on Economic, Social and Cultural Rights on Ireland's fourth periodic report.

on Reasonable Accommodation in the Workplace to the relevant Minister. However, three years later, this Code remains unpublished despite a government commitment to ensure employers make reasonable accommodation for disabled people in the workplace.³³

IHREC considers that the State should provide more detailed information on how health and safety supervision is being adapted to contemporary labour market realities, including platform work, subcontracting, migration, remote work, climate risk and bogus self-employment. Without targeted and disaggregated data and enforcement evidence, it is not possible to comprehensively assess whether the legal framework is effective for the workers most at risk.

Recommendations:

IHREC recommends that the State publish the results of public consultation on the EU Directive on Platform Work without delay.

IHREC recommends that the State ensure that draft legislation transposing the EU Directive on Platform Work provides robust protections for platforms workers' health and safety and that this draft legislation is published with sufficient time to allow for proper pre-legislative scrutiny.

IHREC recommends that the State consider adopting specific health and safety measures to address growing climate-related workplace risks, including during periods of extreme weather, particularly for essential workers and those that cannot work from home.

IHREC recommends that the State provide data, disaggregated by demographic characteristics and employment sectors, on the use to date of the Code of Conduct on the Right to Disconnect, including complaints, inspections, decisions, and remedies by the WRC.

³³ IHREC (2025) [Submission to the UN Committee on the Rights of Persons with Disabilities](#) pg. 104.

IHREC recommends that the State place the right to disconnect on a legislative footing, with enhanced monitoring and enforcement mechanisms

IHREC recommends that the State address gaps in protection arising from platform work, bogus self-employment, and other non-traditional working arrangements, to ensure that all workers have an enforceable and effective access to health and safety protections, regardless of employment status.

IHREC recommends that the State review the employment permit system to empower migrant workers to report unsafe or exploitative working conditions, and leave exploitative employers without risking their immigration status.

IHREC recommends that the Workplace Relations Commission deepen targeted inspection and enforcement strategies for sectors at high-risk of labour exploitation or in which structurally vulnerable workers are overrepresented.

IHREC recommends that the State publish the Code of Practice on Reasonable Accommodation in the workplace, to ensure the health and safety of disabled people in the workplace.

Article 4: Right to Fair Remuneration

Article 4.3: Right of men and women to equal pay for work of equal value

The Committee asked the State whether the notion of equal work and work of equal value is defined in domestic law or case law and to provide information on the job classification and remuneration systems that reflect the equal pay principle, including in the private sector.

The State notes that employment equality legislation in Ireland provides for equal pay for ‘like work’, defined as work that is the same, similar or work of equal value. Section 7 of the *Employment Equality Acts 1998–2015* defines work of equal value by reference to skill, physical or mental requirements, responsibility and working conditions. The Acts apply across both the public and private sectors, including in relation to recruitment, selection, training, terms and conditions of employment, performance, promotion, pay, benefits, dismissal, vocational training, job classification, and collective agreements. The State amended the Acts to cover gender pay gap reporting for organisations with 50+ employees (down from a previous threshold of 150) and shorten reporting deadlines. Under the Acts, equal pay covers all forms of remuneration, including salary, allowances, bonuses, and non-cash benefits, for work of equal value.

We welcome the existence of a statutory framework recognising equal pay for like work. However, the State’s response provides limited information on how equal pay for work of equal value is secured in practice. The State provides insufficient detail on the job classification and remuneration systems used across the public and private sectors to ensure that pay structures are gender-neutral, transparent, and capable of identifying work of equal value.

The State also refers to Ireland’s membership of the Equal Pay International Coalition (EPIC), a multilateral partnership working to reduce the gender pay gap at global, regional and national levels. While this is a welcome statement of commitment, it is not a substitute for concrete domestic measures to ensure pay transparency and equal pay are respected in practice.

The State notes that the EU Pay Transparency Directive (2023/970), which must be transposed into national law by 7 June 2026, and has the potential to strengthen equal pay protections by requiring greater pay transparency, improved access to information, and stronger enforcement mechanisms. However, the State has communicated to the European Commission that it will fail to transpose the Directive by this deadline. The State has not yet published the legislation to transpose the EU Pay Transparency Directive and has stated that “the required measures will not be completed by the June 7th deadline and so implementation will happen on ‘a phased basis’.”³⁴ This piecemeal approach and failure to meet transposition deadlines undermines regional and domestic efforts to advance gender equality, creates uncertainty for workers, employers, and enforcement bodies, and limits the opportunity for meaningful scrutiny of the proposed measures.

Further, we are concerned at reports that efforts are being made to delay or weaken the EU Pay Transparency Directive. It is critical that Ireland ensures that gender equality is robustly defended and advanced in both Ireland and the EU, particularly at a time when Ireland will be holding the Presidency of the EU Council and concurrently we are witnessing a growing backlash against women’s rights.³⁵

Current gender pay gap reporting requirements do not require employers to collect and publish disaggregated data across the grounds protected by the Employment Equality Acts, which may mask intersectional pay inequalities. In transposing the Directive, the State should aim to exceed the minimum requirements where possible, particularly on intersectional discrimination and on reporting of disaggregated data across the equality grounds.³⁶

³⁴ The Irish Times (March 2026) ‘[Employers won’t be ‘penalised’ as Ireland to miss deadline to introduce pay transparency law](#)’

³⁵ The Parliament (26 June 2025) ‘[Inside Europe’s billion-dollar anti-gender movement](#)’

³⁶ IHREC (2026) Policy Statement on Business and Human Rights

Employers must demonstrate non-discriminatory reasons for any differences, however there are no financial penalties for non-compliance, nor can employees be awarded compensation for any breaches of the gender pay gap reporting obligations.³⁷

IHREC has a mandate under the *Gender Pay Gap Information Act 2021* and since 2025 can apply to the Circuit Court or High Court for an enforcement order if an eligible company fails to publish its mandated gender pay gap report. However, IHREC has not been provided with dedicated resources needed to implement this expanded mandate comprehensively.

Recommendations:

IHREC recommends that the State clarify the the timeline for publication and enactment of legislation that will fully transpose the EU Pay Transparency Directive;

IHREC recommends that the State ensure that all legislation transposing the EU Pay Transparency Directive is published with sufficient time to ensure proper pre-legislative scrutiny by all stakeholders, and that it includes effective sanctions, remedies, and enforcement mechanisms;

IHREC recommends that the State obligate employers to collect and publish pay data disaggregated across the equality grounds protected under the *Employment Equality Acts*;

IHREC recommends that the State provide adequate resources to IHREC to fulfill its statutory functions under the *Gender Pay Gap Information Act 2021*

³⁷ [Pay equity laws & requirements in Ireland | L&E Global](#)

Article 5: Right to Organise

The ECSR asked the State for information on measures taken to encourage or strengthen the positive freedom of association of workers, particularly in sectors with low unionisation rates. The Committee also asked for the State to describe the legal criteria used to determine the recognition and representativeness of both employers' organisations and trade unions for the purposes of engaging in social dialogue and collective bargaining, as well as information on minority trade unions and alternative representation in Ireland.

In Ireland freedom to join a union is protected by the Constitutional right of freedom of association. However, we note that both trade union density (membership of a union) and coverage (the percentage of workers protected by a collective agreement, regardless of membership) is low in comparison to other European states, and both have been declining over time. Current union density in Ireland is estimated at less than 25%, with substantial differences between the public (just over 50%) and private sectors (about 12-13%). Density is particularly low in agriculture, fishing, hospitality, ICT, and professional scientific and technical fields, while overall union membership has declined from about 35% over the past 20 years.³⁸ Collective bargaining coverage in Ireland is estimated to be around 40%, compared to 80% in Scandinavia or 70% in continental Europe.³⁹ Coverage has declined by 19% since 2003.⁴⁰ The Commission is particularly concerned about this trend over time.

The State notes that the Article 4 of the EU Directive on Adequate Minimum Wages requires member states with less than 80% of workers covered by collective agreements to establish and promote collective bargaining coverage. Ireland subsequently introduced Action Plan to Promote Collective Bargaining 2026-2030,⁴¹ which launched on 5 November 2025.

³⁸ Walsh, F. (2024) [Trade Union Membership in Ireland and the implications for Centralised Bargaining](#)

³⁹ Walsh, F. (2024) [Collective Bargaining and Economic Performance](#). PublicPolicy.ie

⁴⁰ Geary, J. and Belizon, M. (2021) [Union Voice in Ireland: First findings from the UCD Working in Ireland Survey](#).

⁴¹ Gov.ie (5 November 2025) [Government launches Action Plan to strengthen collective bargaining in Ireland](#)

We welcome the State's commitments within the Action Plan to Promote Collective Bargaining, however we are concerned that the awareness-raising, capacity-building and voluntarist measures outlined in the Action Plan will not be sufficient to correct the structural power imbalance between employers and workers, and we also note that unions have expressed concern regarding the scarcity of concrete commitments to expanding workers' rights in the Action Plan.⁴² For example, the Action Plan does not specify a target for what percentage of workers should be covered by a collective agreement by 2030. We also note that the Directive is concerned with increasing the number of workers covered by a collective agreement, rather than actual individual membership, and the freedom to engage in union activities without victimisation, which is the primary focus of the ECSR's question.

Workers are theoretically protected from victimisation for union membership and union activities through the *Unfair Dismissals Acts 1977-2015*. The Acts makes dismissal for union activities relating to 'authorised trade unions' (those that hold a license to negotiate) or 'excepted bodies' (e.g. a staff association or works council that is recognised as representing staff in negotiations) automatically unfair. The Acts do not cover other types of associations, do not have the enforcement power to prevent a dismissal from actually taking place, and do not apply to victimisation in forms other than dismissal. The [2015 Statutory Code of Practice on Victimisation \(S.I. No. 463/2015\)](#) addresses certain forms of victimisation such as targeting and surveillance of union members, but is less clear on actions such as the withdrawal of workplace benefits that are not legally protected, such as remote or flexible work. *The Industrial Relations (Miscellaneous Provisions) Act 2004* prohibits victimisation on account of union membership and activities, but complaints are only specific to conditions where it is not the practice of the employer to engage in collective bargaining and where an internal dispute resolution procedure (if any) has failed to resolve the matter.⁴³ Therefore national legislation could only be considered to partially protects workers against victimisation.

⁴² Unite the Union, [Collective bargaining: 'Action Plan' no substitute for legislation](#) (2025).

⁴³ ICTU, [Collective bargaining and minimum wage regime in Ireland](#) (2025).

Recent research suggests that victimisation and other forms of ‘union-busting’ by employers are commonplace in Ireland: Among a sample a sample of union activists belonging to four major unions, 69% reported observing at least one form of anti-union behaviour by employers, while 42% reported observing victimisation of union activists.⁴⁴ The WRC does not provide a breakdown of complaints in such a way to determine what number of complaints if any, relate to victimisation for union activities.⁴⁵ As a result, we lack information on the extent to which workers can effectively exercise their right to freedom of association and join a trade union of their choice without victimisation. These findings suggest that legal framework guaranteeing freedom of association doesn’t always translate into a *de facto* practical, enforceable right to engage in union activities without victimisation in the workplace.

Recommendations:

IHREC recommends the State specify what percentage of workers should be covered by a collective agreement by the end of the Action Plan to Promote Collective Bargaining in 2030.

IHREC recommends the State strengthen legal protections against victimisation in the workplace.

IHREC recommends the WRC publish data, disaggregated by demographic characteristics and employment sectors, on the number of complaints relating to victimisation lodged at the WRC.

IHREC recommends the State legislate to increase the legal obligation on employers to engage with union representatives in the workplace, in order to strengthen employee access

⁴⁴ The research was commissioned by SIPTU and carried out with the support of academics from Queen’s University, Belfast and interviewed 159 workplace representatives from four major Irish unions: SIPTU, the Financial Services Union, the Communications Workers’ Union, and Mandate. SIPTU (2024) [Union Busting: An Inconvenient Truth](#).

⁴⁵ The [WRC 2025 Annual Report](#) notes that 3,270 complaints relate to Unfair Dismissal, 1,430 relate to Industrial Relations/Trade disputes, and 26 relate to European Work Council.

to collective bargaining, in line with obligations under the EU Directive on Adequate Minimum Wages.

Article 6: Right to Bargain Collectively

Article 6.1: Right to engage in joint consultations

The ECSR asked the State to provide information on existing measures to promote joint consultations, what issues of mutual interest have been the subject of joint consultations over the past five years, and whether such dialogue has resulted in any agreements, and how those agreements have been implemented. The ECSR also asked whether there have been any consultations on the digital or green transitions.

As noted in the State response, Ireland has traditionally had a voluntary system of industrial relations. In practise this means that the balance of power is often tilted in favour of employers, and this is apparent in arrangements around joint consultations, recognition of unions for the purposes of collective bargaining, and collective action.

As noted by in the State response, social dialogue is currently organised through the Labour Employment Forum (LEEF), as well as other forums such as the National Economic and Social Committee (NESC) and the Joint Labour Committees (JLCs). The consultative, non-binding LEEF has a tripartite membership consisting of employer organisations,⁴⁶ the Irish Congress of Trade Unions (ICTU) and Government. The membership of NESC is similar, with additional representatives from the public service, farming and agriculture, and the environmental and community and voluntary sectors. This raises questions about the representation of workers in non-unionised sectors, which are more likely to be low-paid and precarious. We note the potential of JLCs to set minimum standards in sectors where union

⁴⁶ The Irish Business and Employers Confederation, Chambers Ireland, and the Construction Federation.

coverage and density is low. To date this has been limited to the childcare, cleaning, and security sectors. IHREC is of the opinion that measures to improve the representativeness of social dialogue structures need to be considered, particularly with regards to workers in new or emerging sectors, or more structurally vulnerable cohorts of workers.

In its response to whether joint consultations on the digital transition have taken place, the State only mentions Platform Work in the context of existing obligations to transpose the EU Platform Work Directive and EU Minimum Wages Directive. To the best of our knowledge, platform workers have not been involved in any joint consultations to date, however we note that the digital transition referred to by the ECSR is about more than the increased prevalence of platform work. The rise of artificial intelligence poses fundamental challenges to the nature of work and employment, and Ireland is particularly exposed to these challenges due to the concentration of ICT, financial services, and other knowledge-intensive industries. The Economic and Social Research Institute estimates that that 7% of Irish jobs could be displaced or impacted by AI in the short to medium term,⁴⁷ while the IMF longer-term outlook suggests that up to 40% of jobs could be impacted. Harnessing the benefits of AI and mitigating its potential negative consequences ‘will require continuous reskilling and upskilling as labour demand shifts towards advanced digital and analytical skills’.⁴⁸ Ireland has already lost 20,000 jobs in the tech sector over the past 12 months, with many of these losses attributed to the impact of AI.⁴⁹ The scale and consequences of this digital transition clearly warrant social dialogue. IHREC therefore welcomes indications from Government that it intends to engage with key stakeholders, including through LEEF and NESC, to ensure a fair digital transition.⁵⁰ Unions, for their part, have called for AI-related clauses in pay deals, including the right to meaningful consultations on the deployment of AI in the workplace,

⁴⁷ ESRI (2025) [Artificial Intelligence and income inequality in Ireland](#)

⁴⁸ International Monetary Fund (25 May 2026) [Ireland: Staff Concluding Statement of the 2026 Article IV Mission](#)

⁴⁹ RTE News (30 May 2026) ‘[Canaries in the coal mine? How AI could reshape work in Ireland](#)’

⁵⁰ Dáil Éireann [Debate on Artificial Intelligence](#), 17 July 2025

commitments to benefit-sharing, including the exploration of reduced working time as an ‘AI Time Dividend’, and provision of training and upskilling in AI.⁵¹

IHREC would welcome establishment of an effective mechanism for social dialogue on the impact of AI on work and jobs. However, we remain concerned that low paid workers in the gig or platform economy could be excluded from such dialogue. The State should ensure that any such mechanism should be inclusive, meaningful and effective, in that it can forge a societal consensus on tackling the challenges posed by AI and the digitisation of work. . We urge the State to consider how to include non-unionised worker representatives in social dialogue forums such as the Joint Labour Committees, which have previously been used to implement minimum standards in low-pay, low unionised sectors.

In our Policy Statement on the Just Transition,⁵² IHREC has previously acknowledged that moving away from fossil fuels and polluting economic activities will impact on jobs in certain sectors in the form of job substitution, job elimination, job transformation, and by the broader impact of automation. As with the digital transition, anticipating the impacts of climate action on employment, pre-emptive workforce development, the promotion and creation of decent and sustainable jobs, and adequate and sustainable social protection for job losses and displacement will be critical for the success of the Just Transition. Employment vulnerability in the context of climate action is also more likely to negatively impact already structurally vulnerable groups. Older people are more likely to be employed in carbon intensive sectors. Foreign-born workers also tend to be employed in lower-paying and polluting sectors, with less access to training or upskilling towards a low-carbon economy. Workers in the most affected territories are also more likely to have lower levels of education; a barrier to redeployment.⁵³ Given the potential of ‘green jobs’ to the Irish economy and workforce,⁵⁴ we see the Just Transition as an important opportunity to create the conditions to enhance

⁵¹ RTE News (14 May 2025) [Taoiseach calls for deeper social dialogue at Fórsa conference](#)

⁵² IHREC (2023) [Policy Statement on the Just Transition](#)

⁵³ IHREC (2023) [Policy Statement on the Just Transition](#), pg.16-18

⁵⁴ ERSI Working Paper (2025) [Assessing the labour market impact of the green transition in Ireland](#)

decent work, and it is therefore imperative that mutually beneficial joint consultation between employers and employees on the Just transition takes place.

Article 6.2: Collective bargaining

The State was asked to provide information on various aspects of collective bargaining, including how it is coordinated between and across different bargaining levels (national, sectoral, enterprise levels), obstacles to collective bargaining and measures to address obstacles, and measures planned to guarantee the right to collective bargaining of ‘economically dependent (self-employed) persons showing some similar features to workers’ and self-employed workers.

In its response, the State correctly identifies two obstacles to the realisation of the right to collectively bargain, namely that some employers may ‘prefer’ not to recognise unions for the purposes of collective bargaining, and that unions may not have the resources to mobilise workers. While these are relevant points, they underplay the imbalance in power between employers and worker representatives and the structural barriers to collective bargaining. The right to collective bargaining is not protected in the Constitution and the current legal framework allows employers to refuse recognition of the union and thereby deny access to collective bargaining. Employees subsequently have no statutory right to make representations to their employer through their union. Ireland is an outlier among European countries in not legally protecting an entitlement to engage in collective bargaining, and this is particularly concerning for its impact on structurally vulnerable groups who may have less individual bargaining power, thereby impacting their access to fair remuneration. We have previously pointed out that collective bargaining is essential to decent work, particularly for

more vulnerable groups, and plays a key role in strengthening industrial democracy and mitigating the effects of inequality in the labour market.⁵⁵

IHREC commissioned research has demonstrated that a statutory framework and protection for collective bargaining is now essential, and following a landmark Supreme Court judgment in 2021, there is no Constitutional impediment to introducing such a framework, and indeed that doing so would give fuller effect to the rights contained within the European Convention of Human Rights and the EU Charter of Fundamental Rights.⁵⁶

Elsewhere in its report, the State refers to the Action Plan to Promote Collective Bargaining, launched in November 2025, which contains 22 actions across five pillars.⁵⁷ IHREC welcomes the publication of the plan, however we remain concerned that it is built on a voluntarist basis and will not address the lack of legal compulsion to recognise trade unions for collective bargaining. Promotional and capacity building activities on their own are not likely to be sufficient to increasing collective bargaining coverage unless they are accompanied by legislative reform and measures targeted at sectors with low union density and coverage.

We have also recommended that Ireland's long-delayed National Action Plan on Business and Human Rights should recognise the right to decent work, of which the right to collective bargaining is an essential component.⁵⁸ We see access to collective bargaining as particularly important in the Irish tech sector. Ireland is home to the European headquarters of several large multinational tech companies, and trade union recognition and collective bargaining within the tech sector would not only improve the workers' conditions, but would potentially

⁵⁵ IHREC (2024) [Ireland and the International Covenant on Economic, Social and Cultural Rights: Submission to the Committee on Economic, Social and Cultural Rights on Ireland's fourth periodic report](#). pg.80

⁵⁶ Eustace, A. and Kenny, D. (2023) [Collective Bargaining and The Irish Constitution—Barrier or Facilitator?](#) IHREC.

⁵⁷ The five pillars are research and data collection, capacity-building, awareness-raising, protection of workers and union representatives, and strengthening of the WRC and Labour Court. [Ireland's Action Plan to Promote Collective Bargaining 2026–2030](#)

⁵⁸ IHREC (2026) [Business and Human Rights in Ireland](#)

also harness workers collective power to demand that the technologies they build and monitor are safe, accountable, and serve the public good, not just corporate interests.⁵⁹

Finally, in response to the query on measures to guarantee the rights of self-employed workers to collective bargaining, the State notes that aspects of competition law prevent self-employed individuals from concluding such agreements, save for a limited number of workers in creative fields, but that the State is ‘considering this matter in light of links to national competition and employment law, with a view to identifying a way forward’. This is a limited response, particularly as the State was previously asked to provide information regarding the ‘practical application of Section 15F of the Competition Act 2002 insofar as different categories of self-employed workers are concerned, following the adoption of the Competition (Amendment) Act 2017.’⁶⁰ It is disquieting, in light of our previous concerns about workers that are increasingly misclassified as self-employed or independent contractors, and thereby denied access to certain labour protections. The State should provide a clear timeline for its ‘consideration’ of this issue and identify policy options to support self-employed workers’ access to collective bargaining.

Article 6.4: Collective Action

The State was asked to provide information on sectors in which the right to strike is prohibited, restricted, or requires minimum service, as well as whether it’s possible to seek an injunction to prevent strike action. The State response confirms most of the existing issues around the right to strike, for which Ireland was previously found to be in non-conformity, including through collective complaints procedures.⁶¹ *An Garda Síochána* and the Defence forces are still prohibited from strike action. Sworn Garda members do not have right to strike, although the changes to Industrial Relations Acts that now give Garda members access to the

⁵⁹ IHREC (2026) [Business and Human Rights in Ireland](#), pg.31

⁶⁰ European Committee of Social Rights Conclusions (2022) Ireland

⁶¹ [European Confederation of Police \(EuroCOP\) v Ireland, No83/2012](#).

Workplace Relations Commission and the Labour Court are welcomed. There has been no change to the position that only members and officials of authorised trade unions are protected from civil liability during strike action. Protection does not extend to other categories of striking workers. This creates a hierarchy of protection which could leave workers exposed to civil or criminal liability when engaging in strike action. This is particularly concerning for workers in non or low-unionised sectors and low-pay or precarious workers. The *Unfair Dismissal Acts 1977-2015* still allows for the possibility for an employer to dismiss all striking employees without it being deemed automatically unfair, so long as the employer does not selectively dismiss striking employees, or selectively re-engage some striking employees after the fact.⁶²

Recommendations:

IHREC recommends the State to establish a platform to support deeper social dialogue between workers, employers, and Government on the potential impacts of AI and other forms of digitisation on jobs and the labour market, and how the benefits of the digital transition can be harnessed and shared equitably, in line with the principles of the decent work agenda.

IHREC recommends the State to support continued social dialogue and joint consultation with workers and other social stakeholders on the Just Transition, in acknowledgement that addressing employment vulnerabilities associated with the Just Transition is critical for its long-term success.

IHREC recommends the State to clarify whether there is any consideration to use Joint Labour Committees to regulate standards in the gig economy/ Platform Work sector, in line with obligations under the EU Directives on Platform Work and Minimum Wages.

⁶² A&L Goodbody, [Industrial Action – Striking Fear in Employers – Top Ten Tips](#)

IHREC recommends the State to take immediate action to address the ongoing absence of a statutory right to collective bargaining.

IHREC recommends that the forthcoming National Action Plan on Business and Human Rights recognises the right to decent work, including the right to collective bargaining, and include specific actions to respect and protect the right to decent work of structurally vulnerable groups.

IHREC recommends that the prohibition on *An Garda Síochána* members' right to strike be removed, in order to bring the current legislative framework into conformity with Article 6.4 of the Charter.

Article 20: Right to Equal Opportunities Between Women and Men

The ECSR asked the State to provide information on measures taken to promote greater participation of women in the labour market and to reduce horizontal and vertical gender segregation, corroborated with data on the impact of actions implemented and progress achieved.

The State highlights a number of achievements in improving the area of gender equality in the labour market, including record levels of female labour market participation, transposition of the EU Directive 2022/238 on improving the balance among directors of listed companies,⁶³ increased representation of women on company boards, and 40% female directors in the Irish Stock Exchange Quotient 20 (ISEQ20). The State also refers to policy and legislative initiatives intended to relieve the burden of care responsibilities often disproportionately placed on women, improve gender pay gap reporting, and improve employment outcomes for groups such as lone parents.⁶⁴

We welcome progress in this area, however we note the State's overall slow and incomplete action on comprehensive implementation of measures that would advance rights under Article 20 of the Charter, despite the strong public consensus expressed through the 2021 Citizen's Assembly on Gender Equality.⁶⁵ While overall female labour market participation has improved, this does not necessarily demonstrate substantive equality in the labour market. Significant gender gaps in the quality and security of employment between men and women remain. As of 2025, 29% of women worked part-time, compared with 13% of men. The

⁶³ We note that infringement proceedings against Ireland were suspended in early 2026, without any communication on what action precipitated the removal from the infringements list. Irish Legal News (4 February 2025) '[Ireland dinged over transposition of two EU directives](#)'.

⁶⁴ PFG 2025; Work Life Balance and Miscellaneous Provisions Act 2023; NSWG 2025-2030; The State of the Nation's Women and Girls; Gender Pay Gap Information Act 2021; SOLAS analysis in 2024 on occupational gender segregation in Ireland; Pathways to Work Strategy (2021–2025), Roadmap for Social Inclusion (2020–2025); B4BB Strategy 2024–2028.

⁶⁵ [Report of the Citizen's Assembly on Gender Equality](#) (2021)

fulltime employment rate for women in Ireland is 50%, compared to 66% for men, and 34% of female workers are low paid, compared to 20% of male workers.⁶⁶ Women's estimated duration of working life is also lower than men's at 38 years compared to 43 years.⁶⁷ This raises concerns regarding gender discrepancies in access to decent work and contributes to the persistence of the gender pay and pension gap.⁶⁸

Horizontal occupational segregation remains pronounced across several sectors. Agriculture and construction are 90% male, while health and social work is 83% female.⁶⁹ Long working hours in some male-dominated sectors may reinforce such gender occupational segregation, especially where caring responsibilities are unequally distributed. Therefore, adequately addressing this horizontal segregation requires action to improve access to childcare, promoting flexible working, and equal sharing of caring responsibilities.

As IHREC has repeatedly highlighted in the course of our work on gender equality, most notably our 2025 submission to the CEDAW Committee, the lack of accessible and affordable childcare in Ireland is a central driver of women's unequal labour market participation.⁷⁰ Ireland is among the most expensive countries for childcare in Europe. Despite the high costs, demand for childcare far exceeds capacity across the entire country and for all ages of children, but it is particularly pronounced for children aged 1-3 years,⁷¹ causing many mothers to reduce work hours or give up work entirely.⁷² Business groups note that most of their

⁶⁶ Low paid workers are categorised as those earning 2/3rd or less than the national median employee income. EIGE, [Gender Equality Index](#) (2025).

⁶⁷ EIGE, [Gender Equality Index](#) (2025).

⁶⁸ EIGE, [Gender Equality Index](#) (2025); CSO, [Press Statement – Highlights from Women and Men in Ireland Hub March 2026](#) (2026).

⁶⁹ Solas, [Reducing Gender Segregation Could Significantly Address Skills Shortages](#) (2023).

⁷⁰ IHREC (2026) [Policy Primer on Childcare](#); IHREC (2025) [Ireland and the International Convention on the Elimination of All Forms of Discrimination Against Women](#)

⁷¹ Pobal, [Early Learning and Childcare Data, 2024/25](#)

⁷² In 2025, there were as many children aged 1-3 enrolled in early learning and childcare services - 40,000 - as there were on waitlists. RTE News (25 Aug 2025) [Thousands waiting for childcare places, figures show](#)

members report that the lack of affordable childcare is damaging recruitment and retention of women.⁷³

In January 2026, the Government announced €135 million in funding for State-led early years education and care up to 2030.⁷⁴ This is a welcome first step in the aim to provide a publicly funded model, however the amount allocated is not sufficient to address the level of pent-up demand within a reasonable timeframe. The overall slow rate of progress towards accessible and affordable childcare casts achievement of the 200 euro/month ambition within the Government's term into doubt.⁷⁵ We also note the draft Code of Practice on Family Friendly Workplaces, which IHREC submitted to the Department of Children, Disability and Equality in June 2022, remains unpublished.

Gender inequality in the labour market is intensified for structurally vulnerable women. Barriers include the inadequacy of supports for older women seeking to enter or re-enter the workforce; the limited income provided through schemes such as the [Community Employment Scheme](#), which is intended to support the long-term unemployed enter the workforce; non-recognition of international qualifications; language requirements; systemic discrimination against ethnic minority⁷⁶, asylum-seeking and refugee women, and the high-prevalence of precarious and zero-hour contracts among this cohort; and the tokenistic rather than meaningful employment of disabled women.⁷⁷ Traveller and Roma women in particular have very low employment rates.⁷⁸ Research on the Roma community highlights barriers to

⁷³ Dublin Chamber, [Childcare Crisis Hits Staffing in Dublin Businesses](#) (January 2025).

⁷⁴ The Journal, 21 January 2026, '[Up to' eight sites across the country to be chosen to become first State-led childcare facilities](#).

⁷⁵ IHREC, [Submission to the European Commission on the European Semester](#) (2025), p. 8.

⁷⁶ IHREC (2025) [Employer Guide to Traveller and Roma Inclusive Employment](#)

⁷⁷ IHREC, [Ireland and the International Convention on the Elimination of All Forms of Discrimination Against Women](#) (2025), p. 111.

⁷⁸ [IHREC' Employer Guide for Inclusive Employment of Traveller and Roma](#) notes that overall unemployment rates were 61% for Travellers and 17% for Roma in 2022, with unemployment rates for women within those communities higher still.

employment such as language and literacy, access to training, the social determinants of health, as well as the lack of appropriate transport and childcare supports for Roma women.⁷⁹

These barriers have cumulative effects across women's working lives, including in later life. As of 2026, the gender pension gap currently stands at 31%, meaning women would need to work an additional ten years to match men's retirement savings.⁸⁰ Women are less likely to have a private pension, and are more likely to receive the non-contributory pension from the State, as opposed to the higher, contributory alternative. IHREC-funded research has raised concerns about the potential negative impacts of the Government's planned auto-enrolment pension scheme on the gender pension gap and on the value placed on unpaid care.⁸¹

The ECSR also asked the State about progress to ensure gender parity in the representation of women and men in decision-making positions in both the public and private sectors. In response, the State reports that female representation in parliament increased from 19% to 27.8% between 2011 and 2023, while female representation in government increased from 20% to 28.6% during the same period.

We welcome the commitments within the 2025 Programme for Government and the National Strategy for Women and Girls to increase female representation in decision-making. However, we note the delays in publication of the associated Action Plan, and slow progress in implementing many of the commitments. The State must accelerate efforts to address barriers to women entering, remaining in, and progressing to the highest levels in politics.⁸²

Political gender quotas were introduced in Ireland in 2021 through the *Electoral (Amendment) (Political Funding) Act 2012*. Despite the 40% gender quota on political party candidate

⁷⁹ IHREC, [Letter to the Secretariat of the Framework Convention for the Protection of National Minorities, following their visit to Ireland as part of the 5th monitoring cycle](#) (26 October 2023)

⁸⁰ Aviva, [Almost Two in Three Women Over 50 Haven't Calculated Their Paydays to Retirement](#) (2026).

⁸¹ IHREC, [Ireland and the International Convention on the Elimination of All Forms of Discrimination Against Women](#) (2025), p. 114.

⁸² IHREC, [Ireland and the International Convention on the Elimination of All Forms of Discrimination Against Women](#) (2025), p. 100-101.

selection for General Elections, the results of the 2024 General Election were extremely disappointing for female political representation. Although no party violated the candidate selection quota and there was a 52% increase of women candidates since the 2020 General Election, 72% of the new seats were won by men, only 25% of parliament representatives are women, while 32.5% of constituencies have no female representatives.⁸³ As of 2026, Ireland is 98th in the world for women in parliament and 56th for women cabinet ministers,⁸⁴ with only three women as senior ministers (21.4%) and six as junior ministers (26%).⁸⁵ We welcome the recent appointment of the first Traveller woman to the Seanad; however, no Traveller, Roma or Black woman has ever been elected to the Dáil.⁸⁶

The gender disparity in politics is exacerbated by the lack of transparency from political parties. Parties are not required to collect and publish data around candidate selection, party funding, funding of candidates and equality data on membership and candidates. The current political system also undermines the 40% candidate selection gender quota. The so-called ‘5 C’s’ have been identified as barriers for women to enter politics. These are: childcare, cash, confidence, culture, and candidate selection processes.⁸⁷ The lack of supports for women in politics disincentivises women from entering and staying in politics, including the lack of adequate remuneration for local councillors. Supports to facilitate greater representation of women at the national level must be first rooted in better representation at the local level, as

⁸³ This is despite an expansion of parliamentary seats for this election from 160 to 174. Women for Election, [GE24: Results for Women Candidates](#) (2025)

⁸⁴ International Parliamentary Union, [Monthly Ranking of Women in National Parliaments](#) (2026); UN Women, [Women in Politics Map](#) (2026).

⁸⁵ Department of the Taoiseach, [Government Ministers](#) (Feb 2025).

⁸⁶ Women for Election, [Women in all their Diversity](#).

⁸⁷ Pauline Cullen and Claire McGing, [Women Beyond the Dáil: Access, Representation and Retention in Irish Local Government -NWC Survey of Irish Women Councillors](#) (2024) p. 6.

gender imbalances among local councillors significantly affects the candidate selection processes for Dáil elections.⁸⁸

Following Ireland's eighth review under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 2025, the CEDAW Committee identified women's participation and representation in the public and private decision-making as a priority recommendation requiring action by the State, including through temporary special measures and nested quotas.⁸⁹

Finally, the ECSR asked the State to provide statistical data on the proportion of women on management boards of the largest publicly listed companies, and in management positions in public institutions. The State reports that Ireland's largest listed ISEQ20 companies reached the key milestone of 40% female directors in 2024, and that Ireland is ahead of the EU average in female board and leadership representation. The State further reports that women represented 42% of board members in ISEQ20 companies and 39% of board positions across all listed companies in 2025.

However, more recent data sources suggest that progress is uneven: 2026 statistics show that that female representation on boards among ISEQ20 companies has dropped slightly to 40% and the overall proportion of women in senior roles remains stagnant at 26%.⁹⁰ In the wider private sector, although the representation of women in senior management roles in Ireland has risen to 41.4% and is currently ahead of the global average, women are much more likely to be Chief Financial Officer (63.7%) or Human Resources Director (58.8%) than Chief Executive Officer (14.7%). They are also 30 times more likely to hold these roles than to

⁸⁸ IHREC, [Ireland and the International Convention on the Elimination of All Forms of Discrimination Against Women](#) (2025), p. 100-101.

⁸⁹ CEDAW, Concluding Observations (2025).

⁹⁰ Business Brief, [Decline in Female Board Representation Among ISEQ20 Companies](#) (2026).

become a Chair (2%).⁹¹ This suggests that female presence in senior management has not yet translated into equal representation in the most powerful executive and governance roles.

Regarding public institutions, we welcome recent developments to increase diversity in the Civil Service. There is ongoing unequal gender balance in senior positions of the Civil Service and State boards, alongside a wider lack of ethnic diversity.⁹² There is insufficient data on diversity in the Civil and Public Service to inform effective policy and strategy development.⁹³ We further note that, despite previous recommendations to strengthen commitments to gender equality in the guidelines for Local Community Development Committees (LCDC), the current LCDC framework remains inadequate.⁹⁴ There have been no reviews of LCDCs since 2019, and that review highlighted a significant gender imbalance, with 65% of LCDC members being male, and one LCDC having 94% male membership.⁹⁵

Recommendations

IHREC recommends that the State create a detailed, ambitious and adequately resourced roadmap on transitioning to a public model of Early Childhood Education and Care by 2030.

IHREC recommends the State undertakes an awareness campaign to promote the uptake of parental leave and paternity leave by men.

IHREC recommends the State to proactively address institutional discrimination and structural barriers impacting women's labour market access, including for older women and

⁹¹ RTE, [Women still four times more likely to be CFO or HR Director than CEO - Grant Thornton](#) (2026).

⁹² Public Appointments Service, [Citizenship Eligibility Criteria in the Civil Service: A barrier to opportunity, inclusion & integration](#) (2024) p. 2; Department of Public Expenditure, [NDP Delivery and Reform, Gender Balance Diversity on State Boards: the next steps](#) (2022).

⁹³ IHREC, [Ireland and the International Convention on the Elimination of All Forms of Discrimination Against Women](#) (2025), p. 103.

⁹⁴ Local Community Development Committees are statutory committees established in every Irish local authority area since 2014 to provide a joined-up approach to community development.

⁹⁵ IHREC, [Ireland and the International Convention on the Elimination of All Forms of Discrimination Against Women](#) (2025), p. 102-103.

Traveller and Roma women seeking to re/join the labour market; recognition of international qualifications; language requirements; the prevalence of zero-hour contracts among ethnic minority, asylum seeking and refugee women; and the tokenistic rather than meaningful employment of disabled women.

IHREC recommends the State to urgently address pension inequality in Ireland, including through the implementation of a Universal State Pension system.

IHREC recommends the State to provide sufficient remuneration for Local Councillors to remove barriers to the recruitment and retention of women in politics.

IHREC recommends the State to prioritise the fully implementation of the recommendations of the Task Force on Safe Participation in Political Life.

IHREC recommends that the Guidelines for the Establishment and Operation of Local Community Development Committees be amended to include a mandatory gender balance requirement on each Committee.

IHREC recommends the State to undertake research on gender inequality in senior Public Service positions and on State boards, and to implement the recommendations to increase gender balance.

IHREC recommends the State to clarify what measures are being taken to implement the CEDAW Committee's 2025 priority recommendation to ensure gender parity in decision-making, through temporary special measures in both the public and private spheres.



**Coimisiún na hÉireann um Chearta
an Duine agus Comhionannas**
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