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Responses to the ECSR additional questions
on the
21st National Report on the implementation of the European
Social Charter

submitted by

THE GOVERNMENT OF IRELAND

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Ireland's response to the European Committee of Social Rights' Additional questions concerning Ireland's 21st National Report on the implementation of the European Social Charter.

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This is Ireland's response to the questions submitted by the European Committee of Social Rights on Ireland's 21st National Report on the Implementation of the Revised European Social Charter.

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Article 2.1

Question

Please provide information on maximum weekly working hours for those workers for whom the Organisation of Working Time Act does not apply.

Response

Section 15 of the Organisation of Working Time Act 1997 limits average weekly working hours to 48 hours, calculated over a reference period of four months, which may be extended to six or twelve months in certain sectors or under collective agreements approved by the Labour Court. While the Act applies to most employees, a number of exemptions exist for specific types of workers. Many of these exemptions do not disapply the Act in its entirety, and other provisions of the Act, including annual leave and public holiday entitlements, continue to apply.

Since January 2025, members of the Defence Forces are now covered by the Act following the [European Communities \(Organisation of Working Time\) \(Defence Forces\) Regulations 2025](#), except when engaged in specified activities.

In addition, sector-specific regulations govern the working time of certain workers who are excluded from particular provisions of the Act. Separately, employers continue to have obligations under the Safety, Health and Welfare at Work Act 2005 to manage workplace risks by identifying hazards, assessing risks and implementing appropriate protective measures.

Article 3.1

Question

Please provide information on the content and implementation of national policies on psychosocial or new and emerging risks in jobs requiring intense attention or high performance.

Response

The Health and Safety Authority (the Authority), as Ireland's national competent authority for occupational safety and health, recognises psychosocial hazards as a significant and growing occupational safety and health challenge. The [Authority's Statement of Strategy 2025–2027](#) identifies psychosocial risk factors and their impact on workers' mental health as a cross-cutting issue affecting all sectors. Consultation with stakeholders highlighted the need for increased attention to occupational health, including psychosocial risks, with particular emphasis on addressing the organisational causes of work-related stress and promoting preventative approaches to worker psychological health at work.

Psychosocial hazards can arise from the design, organisation and management of work and include factors such as excessive workload, work intensity, time pressure, bullying, violence and aggression, emotionally demanding work, fatigue, remote and hybrid working arrangements, and emerging challenges associated with digitalisation and new technologies.

Under the Safety, Health and Welfare at Work Act 2005, employers in Ireland are required to identify workplace hazards, assess the risks arising from those hazards and implement appropriate preventive and protective measures. These duties apply equally to psychosocial hazards where they may impact employees' safety, health or welfare. Employers are also required to review risk assessments where significant changes occur or where existing assessments are no longer valid.

Ireland's approach is based on the principle that psychosocial hazards should be managed through the same risk assessment and prevention framework that applies to all workplace hazards. This approach emphasises prevention, worker

consultation, organisational learning and continuous improvement. Particular attention is given to psychosocial risk factors associated with high-demand work environments, including excessive workload, sustained concentration, rapid decision-making, high levels of responsibility, job insecurity, and frequent engagement with vulnerable members of the public.

To support implementation, the Authority has developed a range of guidance, tools and resources to assist employers in identifying psychosocial hazards, assessing risks and implementing appropriate control measures.

Key resources include:

- **Psychosocial Risk Assessment Guidance**, covering factors such as work demands, workload, control, support, workplace relationships, organisational change, critical incidents and exposure to sensitive or potentially traumatic content.
- **Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work**, which has legal status and may be relied upon in enforcement and legal proceedings.
- **Work Positive and Work PositiveCI**, evidence-based tools that support organisations in measuring psychosocial risk factors and implementing structured organisational improvements.
- **Guidance on Exposure to Sensitive Content**, developed to assist organisations where workers may be routinely or unexpectedly exposed to distressing or traumatic material as part of their duties.

The Authority has also strengthened its organisational capacity in this area through the development of specialist expertise in occupational psychology and human factors. This capability supports the provision of expert advice on psychosocial risk management, workplace stress, psychological health and emerging occupational risks, while contributing to policy development, guidance and stakeholder

engagement. Implementation is further supported through inspection activity, awareness campaigns, webinars, guidance publications and sectoral engagement initiatives aimed at improving employer capability and promoting good practice.

In the last year, the Authority delivered dedicated interventions and guidance on psychosocial risk assessment and human factors, reinforcing the requirement for employers to identify psychosocial hazards and implement appropriate preventative measures.

New and Emerging Risks

In relation to new and emerging risks, Ireland is increasingly examining the occupational safety and health implications of digitalisation, artificial intelligence (AI), algorithmic management, surveillance technologies and evolving forms of work organisation. Areas of focus include work intensification, reduced worker autonomy, increased monitoring, human-machine interaction, skills and competency gaps, and the cumulative psychosocial impacts associated with technology-enabled work systems. The Authority is incorporating consideration of these issues into occupational safety and health policy development, awareness-raising activities and inspection programmes.

Ireland's overall policy approach seeks to ensure that both traditional psychosocial hazards and emerging workplace risks are identified and managed effectively through a preventative, risk-based framework. This is particularly important in occupations characterised by sustained attention, high performance demands, complex decision-making and significant psychological or emotional demands, where effective management of psychosocial risks is essential to protecting workers' safety, health and wellbeing.

All resources are available at www.hsa.ie

Article 3.3

Question

Please provide information on the specific measures taken to ensure the supervision of implementation of health and safety regulations by the labour inspection or other competent authorities, including information on inspections and their results, as well as information on awareness raising activities to inform workers and employers of their rights and obligations, concerning the following categories of workers:

- posted workers,
- workers employed through subcontracting.

Response

The Posting of Workers Directive has been in place since 1996. [Council Directive 96/71/EC](#) on the posting of workers in the framework of the provision of services was transposed into Irish law as a miscellaneous provision of the [Protection of Employees \(Part-time Work\) Act 2001](#). The Act provides that the full range of Irish employee protection legislation applies to workers posted to work in or otherwise working in the State.

In Ireland, the Competent Authority for the Posting of Workers Directive is the [Workplace Relations Commission](#) (WRC) and is responsible for matters such as notification requirements and employment rights compliance. Foreign service providers must notify the WRC when posting workers to Ireland. Irish occupational safety and health legislation applies equally to posted workers.

The Safety, Health and Welfare at Work Act 2005 applies to all employers, self-employed persons and employees in workplaces in Ireland. The Authority enforces compliance with the Safety, Health and Welfare at Work Act 2005 and associated regulations for all workers carrying out work in Ireland, including posted workers. The legal duties that apply to Irish employers and employees also apply to posted workers and subcontractors. In practice, inspectors in the course of their inspections check that safe systems of work are in place, suitable risk assessments have been

completed, controls are in place and workers are competent for the work being undertaken. Posted workers are particularly relevant to the construction sector and the Authority's website contains [information and guidance](#) in relation to the duties of employers and employees in this sector. Guidance is produced in different European languages.

The Authority's approach is to undertake periodic sector specific targeted inspection campaigns looking at different types of workers such subcontractors, lone working, remote working etc. Under the new Platform Directive additional campaigns will be considered.

Article 6.1

Questions

Please provide additional information on what issues of mutual interest have been the subject of joint consultation during the past five years, what agreements have been adopted as a result of such discussions and how these agreements have been implemented.

Please provide information on any joint consultations on matters related to the digital transition.

Response

Ireland continues to promote joint consultation between the Government, employer representatives and worker representatives through established social dialogue structures, in particular the Labour Employer Economic Forum (LEEF). The LEEF provides a standing tripartite forum for Government, employers and trade unions to discuss matters of mutual interest affecting the economy, employment and the labour market, including competitiveness, sustainable employment, labour market standards, equality and gender issues in the workplace.

Under the auspices of LEEF, social partners have been involved in a meaningful, systematic and timely manner in the design and implementation of key employment and social policies. In recent months, Ireland has also seen the establishment of thematic sub groups under LEEF on key issues such as EU directives, collective bargaining and migration. These developments reflect the state's commitment to allow more focused, flexible and timely engagement on complex and emerging policy challenges.

The emergence of additional fora and sub groups complements, rather than replaces, existing dialogue structures. Over the past five years, issues considered through joint consultation have included: economic and labour market developments; the impact of inflation and cost-of-living pressures; collective bargaining and the industrial relations framework; labour market participation and migration; skills and

apprenticeships; remote and blended working; public service transformation; and the response to external economic risks, including trade uncertainty.

A significant area of joint consultation has been collective bargaining. In 2021, a High-Level Working Group on Collective Bargaining was established under the LEEF to review collective bargaining and the industrial relations landscape in Ireland. The Group, including employer representatives, trade union representatives and Government nominees, convened on 11 occasions, and held a public consultation in 2022. Its work has informed subsequent engagement between Government, ICTU and employer representatives, including LEEF subgroup engagement and a technical working group on the collective bargaining aspects of the EU Adequate Minimum Wages Directive.

Following on from these consultations, Ireland published its first Action Plan to Promote Collective Bargaining in November 2025. The Action Plan was developed by the Department of Enterprise, Tourism and Employment following consultation with ICTU and Ibec under Article 4 of the EU Directive on Adequate Minimum Wages.

It sets out 22 targeted actions across five key pillars:

- Understanding the impacts of collective bargaining through enhanced research and data collection.
- Empowering and Encouraging participation via capacity-building programmes and recognition initiatives.
- Promoting awareness and best practices without legislative overreach.
- Protecting the rights of workers and trade union representatives through legal reviews and safeguards.
- Supporting the Workplace Relations Commission and Labour Court with digital innovation and institutional strengthening.

The Action Plan, with its 22 specific Actions, is to run from 2026-2030 and will, accordingly, be delivered on a phased basis, supported by a robust monitoring framework, including a mid term review scheduled for 2028. Implementation will be

supported by constructive engagement with social partners within the LEEF framework.

Article 6.4

Question

Please provide information as to whether members of the armed forces have means, other than the exercise of the right to strike, allowing them to effectively negotiate the terms and conditions of employment, including remuneration?

Response

A scheme of Conciliation and Arbitration (C&A) for members of the Permanent Defence Forces (PDF) provides a formal mechanism for the Representative Associations, i.e. Representative Association for Commissioned Officers (RACO) and Permanent Defence Force Other Ranks Representative Association (PDFORRA) to engage with the Official side (Department of Defence, Defence Force C&A and the Department of Public Expenditure, NDP Delivery and Reform) on matters which come within the scope of the scheme including remuneration and terms and conditions of employment.

The Defence Forces Representative Associations have association with ICTU where they are represented at national pay talks.

Question

Please provide information as to whether civil servants are prohibited from striking, or do specific restrictions apply to them as regards the exercise of the right to strike?

Response

Civil Servants in Ireland are not prohibited from taking industrial action, including strike action. There are industrial relations mechanisms in place for dispute resolution, including a Conciliation and Arbitration (C&A) Scheme for Civil Servants. Available here: [Scheme of Conciliation and Arbitration for the Civil Service](#)

The purpose of this C&A scheme is to provide means acceptable both to the State and to its employees for dealing with claims and proposals relating to the conditions

of service of civil servants and to secure the fullest co-operation between the State, as employer, and civil servants, as employees, for the better discharge of public business.

Under this scheme, which was signed up to by both the Official side and the relevant Staff Unions, it is set out that the staff side shall not threaten, sponsor, support or resort to strike, industrial action, including work to rule or other restrictive practices, or public agitation as a means of furthering claims which are appropriate to be dealt with through the Scheme where all provisions of the Scheme have not been exhausted.

Recent collective bargaining agreements which applied across the civil and public service have also contained Industrial Peace provisions. Under this provision, the parties committed to ensuring that problems in respect of matters covered by the Agreement, where they arise, are dealt with in an effective and timely way and to participate in the dispute resolution procedures.

Question

Please provide information as to whether there is a minimum service requirement during a strike.

Response

Ireland does not impose a general statutory requirement to prescribe minimum levels of service which must be maintained during industrial action. Instead, the Workplace Relations Commission's [Code of Practice on Dispute Procedures \(including in Essential Services\)](#) provides a voluntary framework under which employers and trade unions should agree appropriate dispute-resolution procedures and practical arrangements concerning the level of cover to be maintained where industrial action could disrupt essential supplies or services.

The Code places primary responsibility on employers, employer organisations, and trade unions to agree and observe such arrangements, rather than prescribing uniform minimum-service levels for specified sectors.

The Code refers to essential services as “those whose cessation or interruption could endanger life, or cause major damage to the national economy, or widespread hardship to the Community and particularly: health services, energy supplies, including gas and electricity, water and sewage services, fire, ambulance and rescue services and certain elements of public transport. This list is indicative rather than comprehensive”.