



European  
Social  
Charter

Charte  
sociale  
européenne



30/12/2025

RAP/ RCha /IRL/21(2026)

## **EUROPEAN SOCIAL CHARTER**

21st National Report on the implementation of the European  
Social Charter

submitted by

**THE GOVERNMENT OF IRELAND**

Articles 2, 3, 4, 5, 6, and 20

Report registered by the Secretariat on  
30 December 2025

**CYCLE 2026**

# **Ireland's 2025 National Report on the Implementation of the Revised European Social Charter**

**29 December 2025**



This is Ireland’s National Report under the revised European Social Charter for 2025 relating to the targeted questions from the European Committee of Social Rights for the next statutory report (Group 1) comprising Articles 2 (right to just conditions of work); 3 (right to safe and healthy working conditions); 4 (right to fair remuneration); 5 (right to organise); 6 (right to bargain collectively); and 20 (right to equal opportunities between women and men).

## **Table of Contents**

Article 2 – right to just conditions of work.....	3
Article 3 – right to safe and healthy working conditions .....	8
Article 4 – right to a fair remuneration .....	18
Article 5 – right to organise .....	21
Article 6 – right to bargain collectively.....	25
Article 20 – right to equal opportunities between women and men .....	36

## Article 2 – right to just conditions of work

With a view to ensuring the effective exercise of the right to just conditions of work, the Parties undertake:

**Article 2.1:** *to provide for reasonable daily and weekly working hours.*

### **Question A**

*Please provide information on occupations, if any, where weekly working hours can exceed 60 hours or more, by law, collective agreements or other means, including:*

- *information on the exact number of weekly hours that persons in these occupations can work;*
- *information on any safeguards which exist in order to protect the health and safety of the worker, where workers work more than 60 hours.*

### **Response**

The [Organisation of Working Time Act](#) (OWTA) is Ireland's national legislation which implements the EU's Working Time Directive. The OWTA sets a maximum average working week of 48 hours, calculated over a reference period. This working week average should be calculated over a 4-month period. There are, however, some exceptions to this average period (see below for exceptions). Averaging may be balanced out over a 4, 6 or 12 month period depending on the circumstances. The 48-hour net maximum working week can be averaged according to the following rules:

- for employees generally - 4 months
- for employees where work is subject to seasonality, a foreseeable surge in activity, or where employees are directly involved in ensuring continuity of service or production - 6 months
- the reference period can be extended up to 12 months if there is a collective agreement between employers and employees. The collective agreement must be approved by Ireland's Labour Court.

There are a number of protections contained in the Act if an extension of the reference period to 12 months is agreed by collective agreement approved by the Labour Court.

Under Section 24(4)(a) the Labour Court must be satisfied that '*it is appropriate to approve of the agreement having regard to the provisions of the Council Directive permitting the entry into collective agreements for the purposes concerned*'.

Under Section 24(7) the Labour Court may withdraw its approval of a collective agreement under this section where it is satisfied that there are substantial grounds for so doing. Other safeguards in the Act include daily and weekly rest periods.

Under the Act employees are entitled to:

- A daily rest period of 11 consecutive hours per 24-hour period
- A weekly rest period of 24 consecutive hours per seven days, following a daily rest period
- A 15-minute break where more than 4½ hours have been worked
- A 30-minute break where more than 6 hours have been worked, which may include the first break

### ***Exceptions to the 48-hour work week***

The law on working time and rest periods does not apply to all employees. For example, it does not apply to:

- An Garda Síochána (Ireland's police force)
- Members of the Defence Forces (when on active service or other specific duties)
- Employees who control their own working hours
- Family employees on farms or in private homes
- Employees in certain categories of civil protection services

In addition, the 48-hour work week does not include time spent on annual leave, sick leave, maternity leave, adoptive leave, parental leave, carer's leave or force majeure leave.

Furthermore, if you are under 18 years of age there are different rules. The working hours for young people are regulated by the Protection of Young Persons (Employment) Act 1996. The Act sets maximum working hours, rest breaks from work and bans late night working for young people under 18.

### ***Night Work***

The Organisation of Working Time Act defines "Night Time" as the period between midnight and 7.00am the next morning.

The Act defines a 'Night Worker' as an employee:

- (a) who normally works at least 3 hours of his or her daily working time during night time,
- and

(b) the number of hours worked by whom during night time, in each year, equals or exceeds 50 per cent of the total number of hours worked by him or her during that year.

For night workers generally, the maximum night working time is 48 hours per week averaged over a 2-month period or a longer period specified in a collective agreement which must be approved by the Labour Court.

For night workers whose work involves special hazards or heavy physical or mental strain, there is an absolute limit of 8 hours in a 24-hour period during which they perform night work.

### ***Redress***

The Organisation of Working Time Act has redress options for workers where breaches of working time legislation exist.

The Irish labour inspectorate carries out workplace inspections to ensure that legislation is observed. Workers can also make a complaint to the Workplace Relations Commission. In 2024, there were 5,156 employers inspected, with 2,108 employers found to be in breach of legislation. There were 3,421 breaches of the Organisation of Working Time Act in 2024.

### ***Risk Assessment***

Employers in Ireland have an obligation to safeguard the safety and health of their employees. There are specific requirements which apply when employees are employed on night work. An employer must carry out a risk assessment to determine whether night work involves special hazards or a heavy physical or mental strain. The employer must ensure protection from and prevention of risks to a night worker or shift worker.

Before an employee starts night work and at regular intervals, the employer must offer an assessment of the adverse effects of night working on his or her health. This assessment must be free of charge.

An employer must provide health surveillance if a risk assessment identifies a risk to safety or health or to the physical or mental development of a child or young person. This includes pre-assignment health assessments before assignment to night work, regular checks, and informing the individual (and their guardian) of results.

A registered medical practitioner, or their nominee, will assess whether night work is having, or may have, a negative impact on health. They will inform the employer and employee whether or not the employee is fit or unfit to perform night work.

Where the employee is unfit for night work because of working conditions, the person who carried out the assessment may suggest changes which would result in him or her being fit for the work.

If a night worker becomes unwell for reasons connected with night work, the employer must reassign to other duties whenever this is possible. Employer obligations are covered in the requirements under the Safety, Health and Welfare at Work Act 2005.

Ireland's national authority responsible for ensuring occupational health and safety – the Health and Safety Authority - provides guidance on a dedicated page on its website for [employers and employees on night and shift work](#).

### **Question B**

*Please provide information on the weekly working hours of seafarers.*

### **Response**

As highlighted previously, legislation governing working time in the shipping area is provided for in the European Communities (Merchant Shipping) (Organisation of Working Time) Regulations 2003 ([S.I. No. 532 of 2003](#)) as amended by the European Communities (Merchant Shipping) (Organisation of Working Time) (Amendment) Regulations 2014 ([S.I. No. 245 of 2014](#)).

These regulations set out the maximum hours of work/minimum hours of rest which applies to workers in the shipping sector implementing EU legislation and the requirements of the [Maritime Labour Convention](#), both of which provide that the standard normal working hours for a seafarer is, in principle, based on an eight-hour day with one day of rest per week and rest on public holidays.

In connection with the hours of work and rest are the safe manning requirements set out in the Merchant Shipping (SOLAS V – Safe Manning and Watchkeeping) Regulations 2023 ([S.I. No. 314 of 2023](#)). These Regulations require the shipowner of an Irish ship to submit an application to the Minister for a minimum safe manning document, which must include proposals as to the numbers and grade of personnel the owner considers should be carried on board so that the ship is safely manned when proceeding to sea.

The application is reviewed by the Department of Transport, having regard to the size of the ship, area of operation, length of voyage, certification of crew and the need to ensure the crew are provided with sufficient hours of rest. A safe manning

document is issued to the ship setting out the minimum number and certification of the crew required for the safe navigation of the ship, and it is an offence for the ship to be manned below that level.

### **Question C**

*Please provide information on how inactive on-call periods are treated in terms of work or rest time.*

### **Response**

As stated in our response to question A above, the Organisation of Working Time Act 1997 transposes the European Union's Working Time Directive (2003/88/EC) and includes provisions for entitlements to breaks, minimum weekly rest periods, maximum weekly working time, minimum paid annual leave entitlements and provisions regarding night work.

The 1997 Act does not specifically define 'inactive' or 'on-call periods' but rather defines working time in Section 2 of the Act as being any time that the employee is

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- “(a) at his or her place of work or at his or her employer's disposal, and
  - (b) carrying on or performing the activities or duties of his or her work, and “work” shall be construed accordingly.”

Rest time is defined as “any time that is not working time”.

Being 'on call' is referred to in Section 18(7) of the amended Act, which concerns the prohibition of zero-hours working practices in certain circumstances.

Section 18(7) clarifies that references in Section 18 to an employee being required to make himself or herself available to do work for the employer shall not be construed as including references to the employee being required to be on call, that is to say to make himself or herself available to deal with any emergencies or other events or occurrences which may or may not occur.

Entitlement to remuneration for 'inactive on call periods' falls to be considered by the national Courts on a case-by-case basis as to what constitutes working time, in line with case law of the Court of Justice of the European Union.

Where a worker believes there has been a breach under the Act they can make a complaint to the Workplace Relations Commission through a [dedicated page](#) and [eComplaint Portal](#) on their website.

## Article 3 – right to safe and healthy working conditions

*With a view to ensuring the effective exercise of the right to safe and healthy working conditions, the Parties undertake:*

### **Article 3.1: Health and safety and the working environment**

#### **Information Requested**

*Please provide information on the content and implementation of national policies on psychosocial or new and emerging risks, including:*

- *in the gig or platform economy;*
- *as regards telework;*
- *in jobs requiring intense attention or high performance;*
- *in jobs related to stress or traumatic situations at work;*
- *in jobs affected by climate change risks.*

#### **Response**

Improving the health and wellbeing of the people of Ireland is central to the work of Government. The workplace is an ideal setting to promote employee health and wellbeing, providing multiple benefits to employees and employers, as well as broader social and economic gains.

#### **Occupational Safety and Health**

The Health and Safety Authority (HSA) is the State Agency in Ireland with responsibility for the promotion and enforcement of occupational safety and health legislation.

The principal piece of occupational safety and health legislation in Ireland is the [Safety, Health and Welfare at Work Act 2005](#). Under this Act all employers have an obligation to ensure, so far as is reasonably practicable, the safety, health and welfare of employees at work.

The overarching tenet of the 2005 Act is to oversee the employer duty to ensure everyone at work is provided with a workplace and system of work which is, as far as is reasonably practicable, free from risk to health and to safety.

In Ireland, there is a robust and comprehensive suite of occupational safety and health legislation which places clear duties and obligations on employers, designed to protect the health and safety of workers and to mitigate against work

related injuries, ill-health and fatalities.

### ***Psychosocial Hazards***

Employers' duties include identifying the hazards in their workplace, including psychosocial hazards and risks, assessing these risks to employees and putting in place appropriate control measures to protect employees.

As highlighted above, the HSA operates under the statutory powers of the Safety, Health and Welfare at Work Act 2005. The HSA can, where an employer fails in their statutory function, including in relation to the management of work-related psychosocial hazards and risks, issue enforcement action (in various forms from verbal advice to written advice) such as an Improvement Direction or an Improvement Notice.

The HSA has created an information sheet on [Managing Psychosocial Hazards in the Workplace](#) which gives practical advice on what psychosocial hazards are, and the roles and responsibilities of employers and employees in relation to managing psychosocial hazards.

Further information on risk assessments and psychosocial audits is available at [www.workpositive.ie](http://www.workpositive.ie). Work Positive is a free State and stakeholder supported psychosocial risk management process that helps organisations identify ways to improve employee wellbeing.

### ***Platform Economy***

Article 12 (Safety and Health) of the EU's Platform Work Directive requires digital labour platforms to assess and manage risks to workers' safety and health arising from automated systems, including psychosocial and ergonomic risks.

Platforms must evaluate safeguards, implement preventive measures, and ensure workers are informed and consulted. They are prohibited from using automation in ways that cause undue pressure or harm and must also prevent violence and harassment through effective reporting channels.

Ireland is currently in the process of transposing the Directive, with [stakeholder consultations](#) underway (launched in October this year) with a deadline of December 2026 for transposition.

### ***Telework***

The responsibility for safety and health at work rests with the employer regardless of whether an employee works remotely or at the employer's premises. Employers must provide a safe work environment and, in doing so, assess the risks and ensure appropriate controls are in place to safeguard employees at work.

The HSA's [Occupational Safety & Health Guidance on Remote Working](#) provides guidance for employers and employees on roles and responsibilities in relation to remote working, and the remote working risk assessment 'three-step' process. It is the employer's responsibility to proactively ensure that the assessment is completed for each employee by a suitably trained, competent person and account is taken of changing circumstances.

A standalone '[Remote Working Assessment Checklist](#)' is also available on the HSA website. There are specific and non-specific factors which aggravate occupational safety and health psychosocial risks in remote work settings. These can differ in many ways to those which apply to 'on-site working'. More information related to the occupational safety and health (OSH) psychosocial risks associated with 'on-site working' can be found here: [Psychosocial Hazards Information Sheet](#).

In the remote setting, there are factors that aggravate OSH psychosocial risks which are separate to those which apply generally. Psychosocial risks associated with remote working are the result, firstly, of the different direct circumstances or systems of work which prevail at the remote work site (e.g., domestic setting or remote working hub). They are also the result of indirect circumstances – the social and psychological environmental factors pertaining. There is a third issue related to lack of familiarity with risk prevention and management systems in place where the workforce is mainly working off site.

For any risk assessment, the physical and psychosocial circumstances must be assessed as well as the access to, and the availability of, supports and controls, training, management, professional development and acknowledgement of dignity and respect at work. This must be done in all work situations and locations (e.g., on site and remote working).

### ***Stress or traumatic situations at work***

There is no duty on employers in Ireland to report absences due to stress. There is no method for investigating stress on a par with investigating accidents. However, employers are bound under the Safety, Health and Welfare at Work Act 2005 to protect employees from all hazards which can lead to injury.

A stressor is a potential hazard which can lead to personal injury in the form of mental ill health. Employer risk assessments should include assessments of stressors in the work environment, control measures and monitoring and review, in consultation with staff.

The HSA provides [information and advice](#) to individuals and to groups on the topic, and advise and assist employers in putting in place a system for addressing and

controlling stress. The HSA also develop tools to be used to assess stress in organisations. Work Positive (as highlighted above) is one tool that informs employers and employees about work-related stress and also involves a questionnaire, which identifies where the main sources of stress are coming from within a company. It has been widely used in Irish organisations.

One of the main causes of stress is bullying and the HSA has in place best practice systems for dealing with bullying in order to minimise the stress that it causes. See [Work-Related Stress A Guide for Employers](#) for further information.

### ***Climate Change***

The HSA regulate and promote work-related safety, health and welfare to ensure that workers have safe and healthy work in all workplaces, whether indoors or outdoors.

Work at high or low temperatures is regulated under Irish occupational safety and health legislation. Employers must assess the various health and safety risks associated with their workplace, including those arising from excessive heat, storms and driving for work. Extremes of temperatures are considered a hazard and must be assessed and controlled.

The HSA also participate in Ireland's National Emergency Co-ordination Group who distribute messaging on extreme weather events. The HSA are proactive in issuing relevant safety alerts and reminders to workplaces when there are extreme weather events.

The HSA offers a [range of guidance on its website](#) on conducting written risk assessments and on practices to prevent and control them, including for excessive workplace temperatures, driving for work and various work activity types.

The Department of Enterprise, Tourism and Employment also introduced the right to request a remote working arrangement to all employees under the [Work Life Balance and Miscellaneous Provisions Act 2023](#). While not all roles are suitable for remote work, working from home where feasible during an extreme weather event may be a consideration for some.

### ***Healthy Workplaces***

Ireland's National Healthy Workplace Framework, developed by the Department of Health and supported by the Department of Enterprise, Tourism and Employment, was published in 2021. The Framework (based on the [WHO Healthy Workplace Framework and Model](#)) is underpinned by robust evidence and consultation, and provides strategic direction and flexible guidance that can be adapted to any workplace to help create and sustain health & wellbeing among the workforce.

The priorities to date have included:

- The development of the [Healthy Workplace website](#) which was launched in 2023.
- Commissioning the first national comprehensive survey on worker health and wellbeing. It is anticipated that the results of this survey will be published in early 2026.
- Engaging an external provider to work with 38 organisations to become a healthy workplace which will be completed in April 2026.
- Agreeing a pilot initiative with [Chambers Ireland](#) to support the provision of a dedicated Healthy Workplace Coordinator to drive implementation of the Framework across the Chambers network nationally.

In addition, Ireland's [National Mental Health Promotion Plan](#) – 'Pathways to Wellbeing (2024-2030)' - was launched in December 2024 and a National Lead was appointed in Q3 2025 to lead on implementation of the Plan. One of the high-level goals of the Plan is to ensure mental health promotion is integrated in the workplace and includes a number of objectives and actions aimed at supporting workers, including reducing hazards and risks with psychosocial factors at work.

### **Article 3.2 (Revised Charter): Health and safety regulations**

#### **Question A**

*Please provide information on:*

- *the measures taken to ensure that employers put in place arrangements to limit or discourage work outside normal working hours (including the right to disconnect);*
- *how the right not to be penalised or discriminated against for refusing to undertake work outside normal working hours is ensured.*

#### **Response**

As stated in our response under Article 2, the Organisation of Working Time Act 1997 transposes the European Union Working Time Directive (2003/88/EC) and includes provisions for entitlements to breaks, minimum weekly rest periods, maximum weekly working time, minimum paid annual leave entitlements and provisions regarding night work.

Employees can refer a complaint to Ireland's labour authority (the Workplace Relations Commission) if they feel their rights under the Organisation of Working Time Act have been breached.

The Act contains explicit anti-penalisation provisions under [Section 26](#), which protect employees from being penalised for asserting their rights under the Act.

### ***Code of Practice on the Right to Disconnect***

Ireland has taken proactive steps to address the issue of work outside normal hours, particularly through the [Workplace Relations Commission's Code of Practice on the Right to Disconnect](#), which was developed in consultation with the social partners and came into effect on 1 April 2021. The Code has been placed on statute ([Statutory Instrument No. 159/2021](#)) and is admissible as evidence before the Commission or the Courts.

The Code encourages employers to implement policies that discourage routine work-related communications such as emails or calls outside agreed working hours and provides practical guidance for employers and employees to assist in meeting their obligations under existing legislation, such as the Organisation of Working Time Act 1997. The purpose of such legislation is, among other things, to protect employees from working excessive hours.

The three central tenets of Ireland's Right to Disconnect, as outlined in the Workplace Relations Commission's Code of Practice, are:

1. The right of an employee to not routinely perform work outside normal working hours.
2. The right not to be penalised for refusing to attend to work matters outside of normal working hours.
3. The duty to respect another person's right to disconnect.

### ***Work related stress***

The subject of the Health and Safety Authority's (HSA) guide "[Work-Related Stress; A Guide for Employers](#)" is work related stress and focuses on ways to reduce its likelihood and its effects as well as ways to prevent short-term stress becoming a long-term problem.

The focus of the HSA approach is on risk assessment and hazard reduction. This approach is reflected in the [HSA's Work Positive assessment tool](#) which aims at identifying potential risks, putting in place control measures and engaging with the workforce in a reasonable way to address hazards which can lead to workplace stress.

In order to ensure the workplace has safeguards against unreasonable demands, employers should have preventive systems in place. The employer may have the best intentions, but his/her legal duty goes beyond intentions. This is why the HSA promotes the putting in place of risk assessments and control measures so that employers can be assured that their management systems ensure the demands placed on employees are reasonable.

### **Question B**

*Please provide information on:*

- *the measures taken to ensure that self-employed workers, teleworkers and domestic workers are protected by occupational health and safety regulations;*
- *whether temporary workers, interim 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.*

### **Response**

The legal duty to provide a safe and healthy workplace applies to all businesses, including self-employed individuals. As previously stated, the [Safety, Health and Welfare at Work Act 2005](#) is the primary legislation covering health and safety for all workers including the self-employed, domestic workers and teleworkers.

As highlighted in our response under Article 3.1, the Health and Safety Authority's Occupational Safety & Health Guidance on Remote Working provides guidance for employers and employees on roles and responsibilities in relation to remote working, and the remote working risk assessment process.

There are specific and non-specific factors which aggravate occupational safety and health psychosocial risks in remote work settings. These can differ in many ways to those which apply to 'on-site working'.

Under the Safety, Health and Welfare at Work Act 2005, all workers, including temporary workers, interim workers and workers on fixed-term contracts, are entitled to the same level of protection.

### ***Protection of Employees (Fixed-Term Work)***

The [Protection of Employees \(Fixed-Term Work\) Act](#) transposes Council Directive 1999/70/EC concerning the Framework Agreement on Fixed-Term Work.

It provides that fixed-term workers may not be treated less favourably than comparable permanent workers, unless the reasons can be objectively justified. This means the difference in treatment is appropriate and necessary for achieving a legitimate business objective.

### **Article 3.3 (Revised Charter): Enforcement of health and safety health regulations**

#### **Information Requested**

*Please provide information on measures taken to ensure the supervision of implementation of health and safety regulations concerning vulnerable categories of workers such as:*

- *domestic workers;*
- *digital platform workers;*
- *teleworkers;*
- *posted workers;*
- *workers employed through subcontracting;*
- *the self employed;*
- *workers exposed to environmental-related risks such as climate change and pollution*

#### **Response**

##### ***Vulnerable Workers***

Every person has the right to a safe workplace where any risks to their health and safety are properly controlled. Vulnerable workers are people who may be particularly sensitive or over-exposed to potential health and safety risks in comparison to the general working population.

Some people are more vulnerable to occupational safety and health risks due to a variety of personal and job factors. A person can be vulnerable before they start work, or they may become vulnerable during their working life. A person may have several different vulnerabilities linked to specific personal and job factors.

In this way, all people reflect a spectrum of vulnerability with some people having higher or lower levels of vulnerability. The definition of vulnerable workers includes a subset of workers termed 'sensitive risk groups' (see \* below).

Examples of vulnerable workers include:

- Young people at work\*
- New and expectant mothers\*
- Night and Shift workers\*
- Older workers
- Workers who are new to the job (short tenure workers)
- Inexperienced workers including apprentices
- Migrant workers
- Gig/platform workers
- Low qualified workers

- Workers for whom English is not a first language
- Agency and temporary workers
- Workers with disabilities
- Workers with underlying health issues
- Lone workers

### ***Rights & Responsibilities***

Ireland's health and safety legislation requires the employer to assess the risks to safety and health at work for all workers, to avoid workplace accident, injury, and ill health. Risk assessment is the first step in the prevention of occupational accidents and ill health.

A risk assessment looks at what can cause harm to people. It identifies if control measures are adequate, or if additional measures are required to reduce injury and ill health.

Employers are required to develop a safety statement detailing how the safety, health and welfare of employees is protected. The safety statement includes all risk assessments and should be produced in consultation with employees and their representatives.

Employees, whether they are Irish nationals or migrant workers, have equal rights under Irish health and safety law. In addition, temporary or casual workers, whether they are Irish nationals or migrants, have equal rights under Irish health and safety law as fulltime permanent employees. Employers have specific obligation to 'Sensitive Risk Groups' as defined in the [Safety, Health, and Welfare at Work \(General Application\) Regulations 2007](#). Employers also have specific obligation for persons with disabilities as defined in these regulations.

Workers have a legal right to be represented by Safety Representatives / Trade Unions on health and safety issues in the workplace and these representations must be acted upon.

The HSA has a wide range of information regarding vulnerable workers including [Occupational Safety and Health Guidance on Vulnerable Workers in the Workplace](#) and a [vulnerable workers information sheet 2024](#) which are all available on their website.

### ***Inspections***

Health and Safety Authority (HSA) Inspectors carry out inspections across all work sectors and work activities (including those that would be considered sectors where vulnerable categories of workers would be employed) which come under the Safety, Health and Welfare at Work Act 2005.

Some workplaces are pre-selected for inspection from the HSA's data base, based on risk and their previous history with the Authority e.g. has a particular employer any outstanding enforcement actions due for compliance with; has this company reported a serious accident recently; or was a complaint made to the Authority about them.

Most inspections are targeted at high-risk sectors such as construction, agriculture, forestry, manufacturing, mines, quarries, transport of dangerous goods by road, or the chemical sectors.

### ***Labour Inspectorate***

In addition to the work of the Health and Safety Authority, the Irish labour inspectorate promote, encourage and enforce compliance with a range of employment legislation. This is carried out by means of compliance inspections at workplaces, by working with employers to address contraventions and where necessary, issuing notices to employers and bringing legal proceedings to enforce compliance.

A [guide](#) to the Inspection Services is provided by the WRC on its website. This includes a list of the legislation enforced by the Inspection Services.

## Article 4 – right to a fair remuneration

With a view to ensuring the effective exercise of the right to just conditions of work, the Parties undertake:

**Article 4:3: Right of men and women to equal pay for work of equal value**

### **Question A**

Please indicate whether the notion of equal work and work of equal value is defined in domestic law or case law.

### **Response**

Employment equality legislation in Ireland provides for equal pay for like work. 'Like work' is defined as work that is the same, similar or work of equal value. It is one of the terms that must be part of the contract of employment.

Ireland's [Employment Equality Acts 1998-2015](#) provide for equal pay for like work. The Acts address discrimination in public and private sectors, covering:

- Recruitment, selection, training
- Terms and conditions of employment
- Performance, promotion, pay, benefits, dismissal
- Vocational training, job classification, and collective agreements.

Under the Act, like work is defined in [Section 7](#) as work that is the same, similar or work of equal value:

"7.—(1) Subject to *subsection (2)*, for the purposes of this Act, in relation to the work which one person is employed to do, another person shall be regarded as employed to do like work if—

- a) both perform the same work under the same or similar conditions, or each is interchangeable with the other in relation to the work,
- b) the work performed by one is of a similar nature to that performed by the other and any differences between the work performed or the conditions under which it is performed by each either are of small importance in relation to the work as a whole or occur with such irregularity as not to be significant to the work as a whole, or
- c) the work performed by one is equal in value to the work performed by the other, having regard to such matters as skill, physical or mental requirements, responsibility and working conditions."

Redress for the Employment Equality Acts 1998 to 2015 is via the Workplace Relation Commission's online complaint form.

### ***Equal Pay International Coalition***

In addition to the above, in July this year Ireland's Minister of State for Small Business, Retail and Employment announced Ireland's accession to the Equal Pay International Coalition (EPIC).

EPIC is a multilateral partnership working to reduce the gender pay gap at global, regional and national levels. Aligned with the vision of the United Nations Agenda for Sustainable Development, the Coalition works to accelerate progress towards the goal of equal pay for work of equal value, recognising that sustained and collective efforts are needed to close the gender pay gap.

Joining the coalition marks a significant step forward in Ireland's commitment to ensuring that all individuals, regardless of gender, receive equal pay for work of equal value.

### **Question B**

*Please provide information on the job classification and remuneration systems that reflect the equal pay principle, including in the private sector.*

### **Response**

[EU Directive 2023/970](#) to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms must be transposed into national law by 7 June 2026 (i.e. 3 years after coming into force).

EU companies will be required to share information about how much they pay women and men for work of equal value and to act if their gender pay gap exceeds 5%. The Directive focuses on two core elements of equal pay, namely measures to ensure pay transparency for workers and employers, and improved access to justice for victims of pay discrimination.

In Ireland, the Department of Children, Disability and Equality is currently in the process of legislating for the job classification piece of this Directive.

The Department has also recently published a comprehensive report entitled "[The State of the Nation's Women and Girls](#)" which provides data and information, *inter alia*, on gender pay and female participation rates. The report highlights a change in weekly earnings for females over the period 2011 to 2023. Over this timeframe, female earnings have increased from €471.94 to €623.22. This represents wage growth of 32.1% between 2011 and 2023.

As of 2022, Ireland's gender pay gap stands at 9.3%, ranking eighth in the EU27, and has a lower gender pay gap than the EU27 average of 12.7%.

In May 2025, the Employment Equality Act was amended to cover gender pay gap reporting for organisations with 50+ employees (down from 150) and shortened reporting deadlines<sup>1</sup>.

Under the Employment Equality Acts 1998–2015, equal pay covers all forms of remuneration—salary, allowances, bonuses, and non-cash benefits—for “like work” or work of equal value. Employers must demonstrate non-discriminatory reasons for any differences.

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<sup>1</sup> <https://www.irishstatutebook.ie/eli/2025/si/212/made/en/print>

## Article 5 – right to organise

### **Question A**

*Please indicate what measures have been taken to encourage or strengthen the positive freedom of association of workers, particularly in sectors which traditionally have a low rate of unionisation or in new sectors (e.g., the gig economy)*

### **Response**

It has been the consistent policy of successive Irish governments to promote collective bargaining through the development of an institutional framework supportive of a voluntary system of industrial relations, premised upon freedom of contract and freedom of association.

The Programme for Government committed Ireland to developing an Action Plan to Promote Collective Bargaining by the end of 2025, in line with requirements under Article 4 of the EU Directive on Adequate Minimum Wages. This commitment resulted in the [Action Plan to Promote Collective Bargaining](#) which launched on 5 November 2025.

The Action Plan is an initiative that reflects the Government's commitment to strengthening the industrial relations framework and enhancing the quality of working life across the country. The Action Plan has been developed by the Department of Enterprise, Tourism and Employment in close consultation with social partners and reflects Ireland's commitment to fostering fair, inclusive, and productive workplaces and reinforces Ireland's long-standing voluntarist industrial-relations model.

The Action Plan promotes collective bargaining and 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 will be implemented in phases, with a mid-term review scheduled for 2028 to ensure responsiveness to evolving labour market conditions. It also

includes a robust monitoring framework to track progress and impact.

As referenced in previous reports, the Low Pay Commission is an independent body in Ireland established under the National Minimum Wage (Low Pay Commission) Act 2015 and ensures minimum wage decisions are subject to independent review.

### **Question B**

*Please describe the legal criteria used to determine the recognition of employers' organisations for the purposes of engaging in social dialogue and collective bargaining.*

### **Response**

A strong and well-functioning collective bargaining system is an important element in the Irish economy to support and promote fair wages and terms and conditions, particularly in low paid sectors.

The [Industrial Relations \(Amendment\) Act 2015](#) defines 'collective bargaining' as comprising voluntary engagements or negotiations between any employer or employers' organisation on the one hand and a trade union of workers or excepted body to on the other, with the object of reaching agreement regarding working conditions or terms of employment, or non-employment, of workers.

There is no legislation or other impediment which prevents parties who wish to exercise their right to collectively bargain from freely doing so in Ireland. Ireland has no legal test or statutory recognition criteria for employer organisations. However, there is an extensive range of statutory provisions designed to back up the voluntary bargaining process, including the freedom of association and freedom of disassociation. The [Workplace Relations Commission](#) and the [Labour Court](#) are Independent statutory bodies for dispute resolutions. The system is based on respecting the autonomy of parties to negotiate and agree terms that enhance existing statutory protections.

### ***Labour Employer Economic Forum***

Social dialogue in Ireland involves government, employers, trade unions, and civil society via forums such as the Labour Employer Economic Forum (LEEF). The LEEF is made up of representatives from the government, employers and trade unions and provides for tripartite dialogue on economic and employment issues as they affect the labour market. Employer organisation representation is led by Ibec, which also includes the Construction Industry Federation (CIF) and Chambers Ireland.

Employers through Ibec (which is an Irish business representative organisation) are represented by a delegation of four. The current membership reflects long standing and established arrangements for engagement between Government, employers and trade unions on labour market issues. The current, balanced, make up of LEEF has proven very conducive to effective dialogue and engagement.

### **Question C**

*Please describe the legal criteria used to determine the recognition and representativeness of trade unions for the purposes of engaging in social dialogue and collective bargaining.*

### **Response**

The Irish Government fully supports the right of any worker to join and be active in their trade union. Employees have the right under the Constitution to form associations and trade unions. Under Irish legislation, an employee cannot be discriminated against or dismissed because they are a member of a trade union.

Employers in Ireland are not legally obliged to recognise trade unions for collective bargaining purposes. In order to be recognised as a trade union, it must be registered and hold a negotiation licence under the Part II, [Trade Union Act 1941](#) to lawfully conduct collective bargaining.

The Trade Union Acts define what constitutes a trade union. Any legislative changes to these criteria or procedures are subject to public consultation, ensuring transparency and stakeholder input.

Certain representative bodies are also recognised as 'social partners' for the purposes of social dialogue through forums such as the Labour Employer Economic Forum and the [Irish National Economic and Social Council](#).

### ***Labour Employer Economic Forum***

As highlighted in our response to question B above, the LEEF is made up of representatives from the government, employers and trade unions and provides for tripartite dialogue on economic and employment issues as they affect the labour market.

Trade union representation of the LEEF is led by the Irish Congress of Trade Unions (ICTU). Trade Unions through ICTU are represented by a delegation of four. The current membership reflects long standing and established arrangements for engagement between Government, employers and trade unions on labour

market issues.

#### **Question D**

*Please provide information:*

- *On the status and prerogatives of minority trade unions;*
- *On the existence of alternative representation structures at enterprise-level, such as elected worker representatives*

#### **Response**

Trade Unions in Ireland are registered under the Trade Union Acts. In order to register a Trade Union, the grouping involved (which must consist of at least seven people) must draw up a set of rules governing the operation of the union.

Specific detail on the status and/or prerogatives of minority Trade Unions is not available. The main prerogative of any trade union, whether it is a minority or a majority union, is the right to represent individual members in grievances and disputes, or to negotiate their members pay and terms of conditions of employment.

#### ***Alternative representation***

In Ireland, the primary model for formal employee representation at the enterprise level is through trade unions and the traditional "single-channel" model of industrial relations.

Ireland has a code of practice and legislation on employee involvement in the workplace, including worker participation in certain enterprises through the election of employees for appointment to the board of directors. Details are available on the websites of the [Workplace Relations Commission](#) and [Department of Enterprise, Tourism and Employment](#).

#### ***Joint Industrial Councils***

Joint Industrial Councils (JICs) are voluntary negotiating bodies for particular industries or parts of industries that are representative of employers and trade unions.

Provided that it fulfils certain conditions, a Council may register with the Labour Court as a Joint Industrial Council under the Industrial Relations Acts. The rules of such Councils must provide for the referral of disputes to the Council for consideration before resort is made to industrial action. A registered JIC may request the Labour Court to appoint a chairperson and secretary to the Council. The primary legislation governing Joint Industrial Councils is contained in [Part V](#) of the Industrial Relations Act 1946.

## Article 6 – right to bargain collectively

*With a view to ensuring the effective exercise of the right to bargain collectively, the Parties undertake;*

**Article 6.1** *to promote joint consultation between workers and employers.*

### **Question A**

*Please state what measures are taken by the Government to promote joint consultation.*

### **Response**

As highlighted in our response under Article 5, the Labour Employer Economic Forum (LEEF) provides for tripartite dialogue on economic and employment issues as they affect the labour market. Under the auspices of the LEEF, there has been meaningful, systematic and timely involvement of social partners in the design and implementation of employment and social policies such as the introduction of statutory sick pay and workplace safety during Covid-19, for example.

More recently, Ireland's Action Plan to Promote Collective Bargaining, published in November, demonstrates the continued value of our ongoing engagement under the framework of the LEEF. Subgroups of the LEEF, chaired at Ministerial level, have also been established on a range of issues. The Irish National Economic and Social Council (NESC) is another example of an ongoing forum in which social partners examine and advise Government on economic, social and environmental policy.

In addition to this, Ireland's Joint Labour Committees (JLCs) bring together employer and worker representatives in specific sectors where collective bargaining coverage is low. Their role is to negotiate minimum pay and conditions for workers in that sector. Once agreed, these terms are formalised in an Employment Regulation Order (ERO), which is legally binding for all employers and employees in that sector.

Currently, there are three active EROs in Ireland. These are in the contract cleaning, early years learning and security sectors which help to ensure minimum standards across sectors where collective bargaining is not well established, and wages tend to be low.

The Industrial Relations Acts and employment legislation ensure minimum standards while allowing autonomous negotiation. Consultations may also take place at enterprise-level whereby agreements are reached by employers and unions as a result of direct negotiations.

### ***Other forums***

Dialogue and engagement between government and social partners takes place through a variety of forums, such as the National Economic Dialogue, the National Civic Forum for dialogue with the community and voluntary sector, the Labour Market Advisory Council, the Just Transition Commission, the National Dialogue on Climate Action, the National Competitiveness and Productivity Council, and through direct engagement between Ministers and their Departments, and social partners.

In addition, the consultation process undertaken by the Workplace Relations Commission (WRC) with the social partners is key in ensuring that the perspectives of both employers and trade unions are taken into account, especially on the drafting of Codes of Practice.

Regular engagements also take place between government officials and a range of stakeholder bodies (both in-person and through written communication) in advance of and during Ireland's annual budgetary process.

### **Question B**

*Please describe 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.*

### **Response**

The aim of the Labour Employer Economic Forum is to provide a space to discuss areas of shared concern affecting the economy, employment and the labour market on a thematic basis, such as competitiveness, sustainable job creation, labour market standards and equality and gender issues in the workplace.

A High-Level Working Group on Collective Bargaining was formed by the then Tánaiste (Ireland's Deputy Prime Minister) in March 2021 in consultation with the employee and employer participants of LEEF. An independent Chair was appointed on agreement with the employee and employer representatives to facilitate the process.

The Group agreed to explore mechanisms that would enhance existing industrial relations frameworks with a view to encourage greater collective bargaining coverage in Ireland. The Final Report of the Group was published on the 5th of October 2022.

Some of the recommendations in the final report have been considered in the context of Ireland's action plan to promote collective bargaining which was published in November this year.

### **Question C**

*Please state if there has been any joint consultation on matters related to*

*(i) the digital transition, or*

*(ii) the green transition.*

### **Response**

Ireland remains committed to monitoring EU developments in the digital and green labour market spheres, maintaining an open approach to equipping social partners with the skills, resources and the support necessary to adapt to these emerging challenges.

#### ***Platform Work***

Article 25 of the Platform Work Directive for example, obliges EU Member States, taking into account the diversity of national practices, to promote the role of social partners and encourage the exercise of the right to collective bargaining in platform work. According to EU Commission guidance, this can be achieved through strategies, guidelines, or social partner agreements.

In Ireland, the Action Plan to Promote Collective Bargaining 2026–2030, developed in consultation with social partners, aligns with obligations under the EU Directive on Adequate Minimum Wages and will serve as a mechanism for implementing the provisions of Article 25.

#### ***Just Transition***

In relation to work on a fair and just transition, Ireland has a [Just Transition Commission](#), established in late 2024 as an independent advisory body to the Government. Its purpose is to ensure that the shift to a climate-neutral economy by 2050 is fair, inclusive and ensures fairness across all sectors.

The Just Transition Commissioner held local meetings and sought, among other groups, the input of social partners. [Minutes](#) of Just Transition Commission meetings from December 2024 are available to view online. In addition, Bord na Mona, the owner of the peatlands and the largest employer in Ireland's Midlands, signed two collective agreements that aimed to ensure that the company transitions to sustainable energy sources in a socially responsible manner.

#### ***Green Transition***

Responsibility for the green transition lies primarily with the Government of Ireland,

specifically the Department of Climate, Energy and the Environment (DCEE). There are no specific engagement mechanisms managed by DCEE that target workforce transitions and collective bargaining specifically.

DCEE's main vehicle for climate engagement is the National Dialogue on Climate Action (NDCA). This initiative engages stakeholders, communities and individuals in tackling climate action. In this regard, stakeholder engagement for Phase 2 of the NDCA is currently underway and includes engagement with what can broadly be termed vulnerable groups. Engagement with communities will continue to be a key feature of the NDCA in its next phase.

## **Article 6.2: *Collective bargaining***

### **Question A**

*Please provide information on how collective bargaining is coordinated between and across different bargaining levels including information on:*

- *the operation of factors such as erga omnes clauses and other mechanisms for the extension of collective agreements.*
- *the operation of the favourability principle and the extent to which local/workplace agreements may derogate from legislation or collective agreements agreed at a higher level.*

### **Response**

Collective bargaining in Ireland takes place at all levels but primarily occurs at enterprise/company level in the private sector. Within the public sector, sector-specific negotiations occur for areas like health, education and local government. Local bargaining is also permitted under national agreements for certain conditions, reforms, or allowances. For example, the 2024–2026 Public Sector Pay Agreement includes a local bargaining clause for specific workplace issues.

### ***Registered Employment Agreements***

On the other hand, [Registered Employment Agreements](#) (REA) are collective agreements negotiated between employers (or employer bodies) and trade unions that, once registered with the Labour Court, become legally binding on all employers and workers in the specific sector/amongst the group of employees specified. Any breaches of REAs can be referred to the WRC or Labour Court for enforcement.

### **Joint Labour Committees**

Joint Labour Committees (JLCs) are provided for under the Industrial Relations Act 1946 and were reformed by the Industrial Relations (Amendment) Act, 2012. A JLC is comprised of equal numbers of representatives of employers and workers in a sector. JLCs meet regularly under an independent Chairperson to discuss proposals for terms and conditions to apply to specified grades or categories of workers in the sector.

JLCs are set up by the Labour Court following an application from either the Minister for Enterprise, Tourism and Employment; a trade union; or any organisation that represents the workers or the employers involved. The Chairperson and substitute Chairperson of a JLC are appointed by the Minister for Enterprise, Tourism and Employment.

When formulating proposals to submit to the Court, a JLC must consider the legitimate interests of employers and workers likely to be affected by the proposals, including a number of criteria set out in legislation.

JLCs can draft an Employment Regulation Order (ERO), setting out the employment conditions and minimum rates of pay for the sector they represent: [Employment Regulation Orders - Workplace Relations Commission](#)

There are currently three EROs in force which demonstrate that the JLCs can work very effectively when employer and employee representatives are willing to engage constructively. As mentioned above, these are in the contract cleaning, early years learning and security sectors:

- [S.I. No. 326/2025 Employment Regulation Order \(Security Industry Joint Labour Committee\) 2025](#)
- [S.I. No. 477/2025 - Employment Regulation \(Amendment\) Order \(Early Years' Service Joint Labour Committee\) No.1 2025](#) and [S.I. No. 478/2025 - Employment Regulation \(Amendment\) Order \(Early Years' Service Joint Labour Committee\) No.2 2025](#)
- [S.I. No. 430/2025 - Employment Regulation Order \(Contract Cleaning Industry Joint Labour Committee\) 2025](#)

Regarding the operation of the favourability principle, as local/workplace agreements are confidential, information on this point is not available.

**Question B**

*Please provide information on the obstacles hindering collective bargaining at all levels and in all sectors of the economy (e. g. decentralisation of collective bargaining)*

**Response**

As highlighted above, it has been the consistent policy of successive Irish governments to promote collective bargaining through the development of an institutional framework supportive of a voluntary system of industrial relations, premised upon freedom of contract and freedom of association.

There is no constitutional or legal impediment which prevents parties who wish to exercise their right to collectively bargain from freely doing so in Ireland.

Some employers however prefer not to recognise unions for the purpose of negotiating employees' terms and conditions of employment. Another obstacle relates to insufficient resources in organising and mobilising workers to join trade unions.

**Question C**

*Please provide specific details on:*

- *the measures taken or planned in order address those obstacles;*
- *the timelines adopted in relation to those measures;*
- *the outcomes achieved/expected in terms of those measures.*

**Response**

Local/workplace agreements are confidential and as such information on this point is not available. Collective agreements between parties are not required to be registered.

**Question D**

*Please provide information on the measures taken or planned to guarantee the right to collective bargaining of (i) economically dependent (self-employed) persons showing some similar features to workers and (ii) self-employed workers.*

**Response**

There is no constitutional or legal impediment which prevents parties who wish to exercise their right to collectively bargain from freely doing so in Ireland.

There is an extensive range of statutory provisions designed to back up the voluntary bargaining process. The system is based on respecting the autonomy of parties to negotiate and agree terms that enhance existing statutory protections.

### ***Certain Category of Workers***

Under Ireland's Competition (Amendment) Act an application to collective bargaining and agreements is possible in respect of certain categories of workers, namely;

- (1) Actors engaged as voice-over actors
- (2) Musicians engaged as session musicians
- (3) Journalists engaged as freelance journalist

The Copyright in the Digital Single Market Directive (2019/790/EU), transposed into Irish law in 2021, provides for certain rights that apply to contractual agreements in the creative sector that can be exercised via collective agreements.

However, competition law prevents self-employed individuals from concluding such agreements. This was recognised in [Guidelines](#) published by the European Commission in 2022, clarifying that the Commission would not intervene where collective agreements are entered into pursuant to national measures that have been adopted pursuant to that Directive.

Ireland is considering this matter in light of links to national competition and employment law, with a view to identifying a way forward.

## **Article 6.4: *collective action***

### **Question A**

*Please indicate:*

- *the sectors in which the right to strike is prohibited;*
- *those sectors for which there are restrictions on the right to strike;*
- *sectors for which there is a requirement of a minimum service to be maintained.*

*Please give details about the relevant rules concerning the above and their application in practice, including relevant case law.*

## **Response**

In Irish employment law there is no direct right to strike but there are protections for certain workers who do this. Part 2 of the Industrial Relations Act 1990 provides workers, who are taking part in peaceful industrial action, the following immunities from:

1. Criminal or civil proceedings for conspiracy to do a particular act if the action taken by a person acting alone would not be punishable as a crime. Even if you are not a member of a trade union, you benefit from this immunity.
2. Prosecution when taking part in peaceful picketing. Only members and officials of an authorised trade union get the benefit of this immunity.
3. Prosecution for inducements to break or threats to break contracts of employment. Again, only members and officials of an authorised trade union get the benefit of this immunity.

Part II of the Industrial Relations Act 1990 (which sets out the legislation on industrial action) defines a 'worker' as any person who is or was employed whether or not in the employment of the employer with whom a trade dispute arises, but does not include a member of the Defence Forces or of the Garda Síochána.

### ***An Garda Síochána***

An Garda Síochána (the Irish Police Service) is a unitary police and security service and is the only police service in Ireland. It is therefore somewhat unique in Europe and the industrial relations architecture must reflect this position.

The recently enacted [Policing Security Community Safety Act 2024](#), provides that Garda staff (civilian support) and Garda members (sworn officers) are integral parts of the one unified organisation called An Garda Síochána and are all referred to as Garda personnel. Within this structure, Garda staff continue to have a protected right to collective action, representation by union bodies and can take strike action.

In respect of Garda members, the Government is satisfied that the changes it has made to the Industrial Relations Acts in 2019, to give members access to the Workplace Relations Commission and the Labour Court, strikes the correct balance between members' right to have their industrial relations issues dealt with independently and fairly, and ensuring that the Irish public has the assurance of an uninterrupted national policing and security service. Garda member associations can represent Garda members fully in collective bargaining processes at a national level and have full access to the industrial machinery of the State.

Industrial relations legislation in Ireland does not extend to the granting of, or the abolition of, a right to strike to any workers or groups of workers. The unique position of the Garda Síochána is such that the withdrawing of labour in any strike action is likely to impact on policing, the security of the State or the maintenance of public authority.

It is recognised that this places a particular obligation to ensure that the dispute resolution processes in place for the Garda Síochána are robust and effective, and that the members of the Garda Síochána are not disadvantaged as a result.

Following the conclusions of the ECSR, agreed changes to the internal Garda dispute resolution mechanisms were implemented and have been operating effectively since then. These changes are the subject of a formal agreement on Dispute Resolutions Processes (DRP) reached between Garda management and the Garda staff representative associations, with the assistance of the Workplace Relations Commission.

The DRP procedures allow for the resolution of collective disputes and support ongoing engagement between Garda management and the representative associations on relevant industrial relations issues. They also underpin formal access to the WRC and the Labour Court for disputes which cannot be resolved internally. In implementing the internal dispute resolution mechanisms in the Garda Síochána every effort was made to identify and agree processes that eliminate the need to have recourse to industrial action and reduce the impact of any industrial action on the most essential services provided by the Garda Síochána.

Finally, An Garda Síochána members, through their representative Associations, have full access and representation to national pay talks alongside all other trade unions. These talks are facilitated by the Workplace Relations Commission and the relevant Government Departments. The Garda Associations have been fully included since 2017 in the collective bargaining processes agreeing the Public Service Stability (Lansdowne Road) Agreement from 2018 to 2020, and every national pay agreement since including the most recent Public Sector Pay Agreement 2024 – 2026.

### ***Defence Forces***

Members of the Defence Forces are entitled to representation under the provisions of the Defence (Amendment) Act 1990 (as amended) which provides that they can be represented by an association. Members are entitled to representation in relation to matters affecting their remuneration and such other matters as the Minister may specify in the regulations.

The Representative Associations are prohibited from engaging in strike by the provisions of section 2A of the Defence (Amendment) Act 1990 (as amended), which provides, *inter alia*, that an association shall not:

- call for or support industrial action in the Defence Forces or in any other body or sector
- encourage members to go on strike or engage in any strike action or any form of trade dispute or industrial action
- encourage, directly or indirectly, members to go on strike, or engage in strike action or any other trade dispute or any industrial action by another organisation, trade union or person
- encourage members to refuse to follow a lawful order to pass a picket line.

Therefore, members of the Defence Forces are prohibited from strike action.

Members of the Defence Forces are also excluded from the definition of “worker” under the Industrial Relations Act 1980 which provides for immunity of workers in relation to industrial action.

### **Question B**

*Please indicate whether it is possible to prohibit a strike by seeking injunctive or other relief from the courts or other competent body (administrative body or arbitration body). If affirmative, please provide information on the scope and number of decisions in the last 12 months.*

### **Response**

Section 19 of the Industrial Relations Act 1990 provides that an employer shall not be entitled to apply to any court for an injunction restraining the strike or other industrial action unless notice of the application has been given to the trade union and its members who are party to the trade dispute (provided certain conditions have been met:

- a secret ballot has been held in accordance with the rules of a trade union
- the outcome must favour a strike or other industrial action
- the union must give at least one week’s notice to the employer before engaging in the strike or industrial action.

This does not apply to:

- i) actions involving unlawful entry or damage to property or
- ii) Actions likely to result in death or personal injury.

In relation to the *O’Neill v Unite* case, the Supreme Court in Ireland ruled in 2024

that Ireland's High Court was wrong to grant an injunction restraining members of the Trade Union 'Unite the Union', from taking industrial action.

It is expected that, as a result of the judgment, employers will find it more difficult in practice to secure an injunction preventing a strike taking place, assuming the relevant trade union(s) abide by the procedure set out in the Industrial Relation Act 1990.

***Defence Forces***

In the event of a member of the Defence Forces engaging in a form of action that could be considered to be a strike or withdrawal of services, it would be possible for the Defence Forces to seek injunctive relief from the Courts. There have been no applications for such relief in relation to the Defence Forces in the last 12 months.

## Article 20 – right to equal opportunities between women and men

With a view to ensuring the effective exercise of the right to just conditions of work, the Parties undertake:

**Article 20:** *Right to equal opportunities between women and men*

### **Question A**

*Please provide information on the measures taken to promote greater participation of women in the labour market and to reduce gender segregation (horizontal and vertical). Please provide information/statistical data showing the impact of such measures and the progress achieved in terms of tackling gender segregation and improving women's participation in a wider range of jobs and occupations.*

### **Response**

Government in Ireland has taken concrete action to ensure economic growth and to reduce inequality through a variety of measures, including the promotion of equal sharing of caregiving responsibilities and supporting gender equality in the workforce. Addressing gender norms can also play a crucial role in encouraging men to take up their leave entitlements.

### ***Programme for Government***

The new Programme for Government includes several commitments which serve to encourage greater take up of family leave and improved burden sharing of care responsibilities.

Notably, parent's leave has been extended to 9 weeks for parents of children under 2 years, or parents of adopted children in the first 2 years of the placement of the child, as required by the EU Work Life Balance Directive.

The Department of Children, Disability and Equality is working closely with the Department of Social Protection to progress commitments in the Programme for Government in relation to examining other flexibilities and supports that can be introduced, and encouraging more parents, particularly fathers, to take up their full entitlement of Parents Leave.

### ***Worklife Balance***

The [Work Life Balance and Miscellaneous Provisions Act 2023](#) complements existing family leaves and other entitlements already in place and provide additional flexibility to ensure that parents and carers can be supported to balance their working and family lives. Under this legislation, parents and carers have a right to request flexible working in line with Article 9 of Directive EU 2019/1158. Five days leave per year for medical care purposes was also introduced under this

Act, as well as the extension of breastfeeding breaks to when the child reaches two years of age.

The [National Strategy for Women and Girls \(2025-2030\)](#) - launched in November this year - also considers ways to support working families in balancing the competing demands of family and work. The objectives of the Strategy will be achieved through actions carried out by public authorities across all areas of government. Two Action Plans will be adopted, one at the beginning of the Strategy period and one at the mid-way point. These Action Plans will set out the specific actions that will be taken to achieve the objectives of the Strategy.

Earlier this year, prior to the launch of the above Strategy, a spotlight report entitled “The State of the Nation's Women and Girls”<sup>2</sup> was published. The report aims to provide a comprehensive overview of the current status of women and girls in Ireland, as well as changes over time, by focusing on several key areas that influence their lives and wellbeing. The report covers demographic trends, health and wellbeing, education and employment, as well as poverty and social vulnerability, providing detailed statistical analysis on each area.

Efforts have also been made to support women’s economic empowerment in Ireland through their equal representation in senior business roles and well-paid occupations.

### ***Gender Balance***

As highlighted in previous reports submitted by Ireland to the European Committee of Social Rights, the [Gender Pay Gap Information Act 2021](#) introduced the legislative basis for annual gender pay gap reporting in Ireland.

The Regulations under the Act require organisations with over 250 employees to report on their gender pay gap across a range of metrics and publish a statement setting out, in the employers’ opinion, the reasons for the gender pay gap in their company and what measures are being taken, or proposed to be taken, to eliminate or reduce that pay gap. Organisations with over 150 employees were required to report from 2024, while those with over 50 employees are required to report this year (2025).

The Department of Children, Disability and Equality has developed a [centralised reporting database](#). This will make information on employers’ gender pay gaps more accessible to the public and will help our understanding of the gender pay gap in Ireland and how it might be eliminated.

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<sup>2</sup> <https://assets.gov.ie/static/documents/the-state-of-the-nations-women-and-girls.pdf>

The portal launched on a voluntary basis in November 2025, before becoming mandatory for all employers for the 2026 reporting cycle. Employers in scope of the legislation will still have to publish their report on their own website or ensure it is accessible to the public in some other manner.

At a European level, Directive 2022/2381 (on improving the gender balance among directors of listed companies and related measures) stipulates that at least 40% of the non-executive director positions in listed companies should be held by members of the under-represented sex by 2026. If Member States choose to apply the new rules to both executive and non-executive directors, 33% of all director positions should be held by under-represented sex by 2026.

There is a two-year transposition period for Member States and a target date of 30 June 2026 by which companies are to meet the Directive's targets.

Ireland has fully transposed this EU Directive. The required Regulations to transpose the Directive applied the objective of relevant boards having 40% of all non-executive Directors from the under-represented sex. Relevant companies will also need to set individual quantitative objectives to improve the gender balance on their executive director level also and report such objectives to the Minister for Equality.

Work will be progressed in the coming months to provide guidance to companies within the scope of the Regulations to ensure they are aware of their obligation and supported in the measures as laid out.

### ***Labour Market***

The post-pandemic period has been typified by a rapid expansion in the labour market in Ireland, notably amongst women. According to the Labour Force Survey (LFS) for 2025, there has been continued growth in female workforce participation with increasing numbers in employment, reaching historic highs in Q1 2025. The number of females in the labour force increased by 1.7% (+23,000) to 1,405,000 in the year to Q3 2025<sup>3</sup>.

Continued investment in skills and innovation for example ensures that Ireland can not only withstand current challenges but emerge more competitive in the years ahead. Targeted measures such as tailored training programmes, accessible learning pathways, and employer incentives are helping to break down barriers and create greater inclusion in the labour market, by increasing participation among marginalised groups, including women.

A publication by the Central Statistics Office in March this year on women in the

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<sup>3</sup> <https://www.cso.ie/en/releasesandpublications/ep/p-lfs/labourforcesurveyquarter32025/labourforce/>

labour market<sup>4</sup> highlighted, *inter alia*, a number of positive key points on women in employment including:

- Number of married women in employment rose by 21.5% over the five years from Q4 2019 to Q4 2024;
- More than six in ten (62.6%) females in employment have a third level degree (compared with 50.7% of males);
- Median weekly earnings among female employments rose by 32.7% between 2013 (€469.74) and 2023 (€623.22).

### **SOLAS**

SOLAS - the state agency responsible for Further Education and Training in Ireland - provides insights into the recent developments in Ireland's workforce, highlighting areas of skills demand, identifying jobs that are difficult to fill, and pinpointing occupations where shortages exist.

SOLAS published a detailed analysis in 2024 on occupational gender segregation in Ireland<sup>5</sup>.

The report found that hours of work and family structures differ across gender segregated occupations as longer working hours may act as a deterrent for entry or remaining in certain roles. The analysis concludes by suggesting that addressing occupational gender segregation will not only unlock a larger potential supply of skills to meet demand but may also assist in reducing gender pay gaps and increasing work-life balance for both genders.

### **Pathways to Work**

[Pathways to Work Strategy \(2021–2025\)](#), the Government's overall national employment strategy, outlines several commitments aimed at improving employment outcomes for vulnerable groups. Among its priority groups are lone parents, the majority of whom are women (85%).

The Strategy has a commitment to improve employment rates of people from disadvantaged or minority backgrounds, which included increase in employment rates of lone parents from 63% to the EU average of 74%.

### **Roadmap for Social Inclusion**

In a similar fashion, the [Roadmap for Social Inclusion \(2020-2025\)](#) acknowledges that women's lower employment rate is largely due to caregiving responsibilities, which remain unequally distributed and disproportionately undertaken by women.

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<sup>4</sup> <https://www.cso.ie/en/releasesandpublications/ep/p-wlm/womeninthelabourmarket2023-2024/keyfindings/>

<sup>5</sup> [SOLAS | Skills and Labour Market Research Unit | Research](#)

Moreover, it highlights that women, as a marginalised group, are subject to bias, both conscious and unconscious, when it comes to participating in the labour market. Commitments set out by the Roadmap for Social Inclusion include the implementation of the new National Childcare Scheme; examining options to further support carers who wish to increase their level of engagement with or transition into full time employment, education or training, etc.

Successor strategies for both Pathways to Work and the Roadmap for Social Inclusion will be published in 2026 following on from an on-going consultation process. It is envisioned that these strategies will continue to have a focus on vulnerable groups.

### ***Balance for Better Business***

[Balance for Better Business](#) (B4BB) is a business-led review group, supported by Government, which advocates; sets voluntary targets for; and monitors gender representation on the boards and senior leadership teams of private companies in Ireland.

Since its launch in 2018, there has been significant progress achieved through the initiatives work. Ireland's largest listed (ISEQ20 - Ireland Stock Exchange Overall Index) companies have now reached the key milestone of 40% female directors overall, compared to 18% in 2018.

The average level of female representation on the boards of all listed companies also continues to progress well to 37% as of 2024, just below the 40% target. The group has achieved and exceeded a major milestone, with women now representing 42% of board members in ISEQ20 companies - 39% of board positions across all listed companies in 2025.

Large Irish-owned private companies have increased the proportion of women on their boards by 5 percentage points.

### ***B4BB New Strategy***

In May 2024, Balance for Better Business launched a new set of targets as part of a renewed [5-year strategy](#) through to 2028, supported by Government. Under this strategy, B4BB has set targets for 40%+ female representation on boards and leadership teams for all company cohorts, to be achieved by the end of 2028.

This new strategy focuses on a 'twin track approach' of quantitative targets to measure progress and qualitative guidance issued to companies, in the form of a B4BB roadmap. The roadmap focuses on companies setting internal targets; completing succession planning; focusing on talent development and retention;

reforming recruitment strategies; and expanding their conception of strategic leadership to provide greater pathways to women.

To advance this agenda over the next 5 years, B4BB will pursue activities under 4 key strategic pillars:

- **Targets:** Ambitious targets will continue to guide B4BB's work programme with an annual review to measure, monitor and report progress.
- **Impact:** Demonstrate the positive business impact, both commercially and culturally, that a gender balanced workforce can result in.
- **Advocacy:** Deepen engagement with key stakeholders to further embed gender balance within the corporate agenda.
- **Policy:** Taking an active role in monitoring, influencing and shaping national policy impacting gender balance, incorporating international experience and EU policy.

As part of the new 5-year strategy, Balance for Better Business recommended that a series of industry roundtables be organised, focused on selected sectors in which women are currently under-represented at leadership level.

The industry roundtables consisted of Ministerial roundtables with key sector stakeholders, increasing awareness of Balance for Better Business including its aims and supports for businesses offered under the initiative. Four of these roundtables focusing on the construction, hospitality and retail sectors took place in Q4 2024 and Q2 2025, and a Fintech roundtable was also held in Q4 2025.

### **Question B**

*Please provide information on:*

- *measures designed to promote an effective parity in the representation of women and men in decision-making positions in both the public and private sectors;*
- *the implementation of those measures;*
- *progress achieved in terms of ensuring effective parity in the representation of women and men in decision-making positions in both the public and private sectors.*

### **Response**

Equality between women and men is a core principle of public policy and law in Ireland. The achievement of gender equality requires effort across all areas of

public policy, at all levels of Government. Responsibility for the coordination of gender equality policy across government is led by the Department of Children, Disability and Equality.

In so far as the public sector is concerned, all public bodies in Ireland have responsibility, *inter alia*, to promote equality and prevent discrimination of their employees. This is a legal obligation, called the Public Sector Equality and Human Rights Duty, and originated in [Section 42](#) of the Irish Human Rights and Equality Act 2014.

### ***Code of Practice for the Governance of State Bodies***

The Code of Practice for the Governance of State Bodies published by the Department of Public Expenditure and Reform is Ireland's framework for corporate governance in public sector bodies, ensuring accountability and diversity.

The Code of Practice seeks - on those Boards on which either women or men are significantly under-represented - to actively seek to appoint candidates of the under-represented gender. The Chair of a Board must give due regard for the benefits of diversity on the Board including gender.

### ***Women in Politics***

There has been progress made in many areas in the lives of women and girls over the past decade in Ireland, including greater representation of women in parliament, in government and among senior administrators.

The publication in January this year of '[The State of the Nation's Women and Girls](#)' contains a detailed section on representation of women in high-level decision-making positions and highlights that female representation in parliament in Ireland has increased over the period from 19.0% in 2011 to 27.8% in 2023. Female representation in government, has increased over the same period from 20.0% to 28.6%.

The achievement of gender equality more broadly is also reflected in the government's commitments in the Programme for Government that directly address aspects of gender equality, and are also included in strategies such as the recently published National Strategy for Women and Girls 2025-2030 which sets out frameworks designed to advance gender equality across Irish society.

A strategic objective of the Strategy seeks to enable equal leadership, visibility and participation of women by addressing the imbalance of visibility between men and women in the arts and in media.

### **Question C**

*Please provide statistical data on the proportion of women on management boards of the largest publicly listed companies, and on management positions in public institutions.*

### **Response**

#### ***Balance for Better Business - Annual Reports***

Since the Balance for Better Businesses (B4BB) launch in 2018 there has been significant progress achieved through the initiatives work. [The Seventh Annual Report](#) was launched on 11<sup>th</sup> February 2025, where the key messages and results found that:

- Ireland's largest listed (ISEQ20) companies have now reached the key milestone of 40% female directors overall as of 2024, compared to 18% in 2018.
- Ireland now ranks 6<sup>th</sup> in the EU for female board representation and 5<sup>th</sup> in the EU for leadership teams, well ahead of the EU average.
- Since its launch, large Irish-owned private companies have increased the proportion of women on their boards by 5 percentage points.

B4BB's [8<sup>th</sup> Annual Report](#) was launched on 24<sup>th</sup> November 2025 and further highlights that Ireland remains a leader amongst our EU counterparts, ranking 5<sup>th</sup> in the EU for female board representation and 9<sup>th</sup> in the EU for executive leadership teams, well ahead of the EU average and continuing to exceed international averages.

The report highlights that publicly listed companies have exceeded the 40% target for women on boards for the second consecutive year. Privately held companies have also made significant gains reaching 26% female board representation.

The group has achieved and exceeded a major milestone, with women now representing 42% of board members in ISEQ20 companies - 39% of board positions across all listed companies in 2025.

#### ***Gender Balance in Business Survey***

Furthermore, figures from Ireland's Central Statistics Office (CSO) [Gender Balance in Business Survey](#) shows that:

- Irish businesses continue to increase female representation at Senior Executive and Board level.
- In 2023 almost one in five (19.0%) of Chief Executives (CEOs) were female compared with 11.5% in 2019.

- There was also an increase in the overall number of female Senior Executives in 2023, rising to 30.4% in 2023 from 28.3% in 2019.

At board level, one in four members (24.6%) of Boards of Directors in Ireland were female, up from 19.6% in 2019.