

**SIPTU Submission to the
Consultation on the Irish
Human Rights and Equality
Commission Strategy
Statement 2025-2027**

April 2024



**Fairness
at Work and
Justice in
Society**

Q: What is going well for you (and/or community/constituency you represent)?

In the last few years there has been a growing awareness of the benefits of trade unionism and growing support for greater labour rights. The UCD Union Voice in Ireland survey shows that 44% of all employees (and 66% of workers aged 24 and under) in non-union firms would vote to set up a union in the workplace. This figure is higher among young people and women. Further evidence of support for stronger labour rights in the workplace comes from a number of sources including an Ireland Thinks poll commissioned by the Financial Services Union which found that 74% agreed with the proposition that employers should be legally required to negotiate with their trade union if employees wish them to do so.

This growing support for trade unionism is based on a number of reasons: better wages and working conditions, defence against poor and arbitrary management, support for unions' values and principles. Underlying all this, however, is a desire to be treated equally in the workplace. First and foremost, the right to collective bargaining is an employee's right – a right that demands equality of treatment.



Q: What are the challenges and barriers that you (and/or your community and constituency) face?

There are at least two barriers that employees who want to exercise the right to collective bargaining face. First, is the lack of legal and statutory provisions to facilitate the right to collective bargaining. This creates inequality in negotiating the employment contract. The second barrier is the management culture in many workplaces that victimises employees who exercise their constitutional right to join a union, or attempt to organise work colleagues into joining a union. This victimisation can take many forms: undermine career prospects, exclude from or deny performance awards, onerous assignments or inappropriate shifts (a particular burden on employees with child-caring responsibilities). It can also lead to dismissal for trade union activity in extreme cases.

These two barriers – legal and management culture – all have the effect of denying employees' right to collective bargaining. These are the issues that need to be addressed if employees are to have an equal right in the workplace to negotiate their employment contract through the agency of their choice.

Q: What do you (and your community / constituency) need to thrive – to have your human rights and equality protected?

One way of doing this – apart from statutory reform – would be to view the issue of collective bargaining through the lens of equality. First, there is the process; namely, owners/employers exercising the right to collective bargaining themselves but denying it to employees. Second, is the impact on wage inequality throughout the economy. Ireland has one of the highest levels of wage inequality in the EU. As there is a strong relationship

between collective bargaining and wage compression, Ireland's poor performance can be explained by the inequality in bargaining power.

In addition to process and wage inequality, there is a direct impact on gender inequality in the form of the gender pay gap. As women experience a higher rate of low pay than men, they are likely to be bigger beneficiaries of collective bargaining – especially as collective bargaining is successful in raising wage floors. This impact can be seen in the differences in the gender pay between the private and public sectors. With high collective bargaining coverage, the gender pay gap in the public sector is a 3.7%; in the private sector – where there is little collective bargaining coverage – the gender pay is 17.6%. While this disparity cannot be all put down to collective bargaining, there is no doubt that the variation in labour rights is a major contributor.

Therefore, with IHREC's support, seeing collective bargaining as a driver of equality in the workplace would help advance a labour rights agenda. This doesn't guarantee 'thriving' but it would be of particular assistance to lower paid workers, women, migrants, people with disabilities, travellers and young people.



Section 4: Achieving Change

Q: What issues should we continue to address as a priority and build upon in our new Strategy Statement 2025 – 2027 and programme of work?

SIPTU believes the Commission should continue to address and build upon economic equality as a strategic priority; in particular: 'Seek to enshrine in law the right to collective bargaining. SIPTU commends the Commission's Research Report, 'Collective bargaining and The Irish Constitution – Barrier or Facilitator' written by Dr. Alan Eustace and Professor David Kenny. This is a valuable analysis which adds to the debate over collective bargaining, especially around the issue of constitutional considerations.

The Commission's intervention in this debate is timely as the Government is required to (a) transpose the EU Directive on Adequate Minimum Wages into domestic law, and (b) develop an 'action plan' to promote collective bargaining. SIPTU believes the Commission should continue to engage in this crucial debate as employees' right to collective bargaining is an instrument to improve living and working conditions, reduce poverty and income inequality, while promoting social inclusion. Enshrining collective bargaining into law should feature prominently in the Commission's new strategy statement for 2025 – 2027.

Q: What emerging or other issues should we begin to address in our new Strategy Statement 2025 – 2027 and programme of work as a priority?



Q: How can we work with and support the further development of civil society as key actors in addressing discrimination and human rights infringement?

SIPTU believes the Commission should continue to facilitate the Worker-Employer Advisory Committee. Further, it should engage directly with representatives of employees to hear first-hand the challenges faced in the workplace. This is all the more important given that enshrining collective bargaining into law is only part of a programme to vindicate collective bargaining. This requires protection from victimisation as noted in an answer to the earlier question concerning challenges and barriers, alongside employee access to trade unions and trade union representatives in the workplace. Continuous engagement

with employees and their representatives is necessary for the Commission to continually monitor the state of economic equality in their workplace and guide its intervention in the relevant debates.

SIPTU would encourage the Commission to hold engagement events with workers and worker representatives. SIPTU would also like to see IHREC host roundtable discussions, forums and conferences on the topic of the right to organise and engage in meaningful collective bargaining.



Q: What impact would you like to have seen from us by 2027?

SIPTU is hopeful that the Commission’s intervention in the debate will help propel the issue of collective bargaining on to the public agenda. This could be facilitated through a Commission-sponsored national campaign to raise public awareness regarding the benefits of collective bargaining – not only in the workplace but throughout the economy and society. This awareness campaign would be a critical part of the Commission’s prioritisation of economic equality, with collective bargaining contributing to promote social cohesion, social inclusion, improving life quality and poverty-reduction.



**Fairness
at Work and
Justice in
Society**



Liberty Hall
Dublin 1
Tel: 1800 747 881
E-mail: info@siptu.ie
www.siptu.ie

