

A man and a woman are in a kitchen-like setting. The man, on the left, is wearing a dark hoodie with 'HOCKEY' written on it and is looking down at something. The woman, on the right, is wearing a light-colored shirt and a striped apron, and is smiling while looking up. The entire image has a red overlay.

The EU Directive on Adequate Minimum Wages

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at work



**Adopted in 2022,
the EU Directive on Adequate
Minimum Wages sets out a
framework to ensure minimum
wages are adequate and
promotes collective
bargaining across the EU.**

The Directive does not mandate a specific wage level but establishes clear procedural standards for wage-setting, and introduces obligations to promote collective bargaining.

While standards for wage-setting are already in place in Ireland (e.g. the Low Pay Commission) and are thus in line with the Directive, the promotion of collective bargaining is of particular relevance for Ireland given the lack of a legislative route to collective bargaining for workers.

Collective Bargaining

Collective bargaining is the process by which working people come together and through their trade unions and negotiate their working conditions. Collective bargaining usually covers items like contracts of employment, pay, pensions, sick leave, leave arrangements, hours of work, job location and much more. More recently it has taken on topics like the gender pay gap, AI and hybrid working.

Collective bargaining is a fundamental right in nearly every country in Europe and is recognised as such by the Charter of Fundamental Rights, the UNHCR and many ILO conventions. But it is still not considered a legal right in Ireland. While Irish workers have the right to join a union, unlike in other European countries, there is no legal requirement for an employer to recognise or negotiate with that union.

In Ireland, specifically, we now have compelling evidence of the desire for trade unions amongst the workforce, especially amongst young workers. UCD research from 2023 told us that nearly half of all workers want a union in their workplace and this rises to 67% for workers under 25. We also know from Ireland Thinks polling data from 2021 and 2024, respectively, that 74% of workers

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34%



want the legal right to collectively bargain with their employer and 75% of workers want greater protections for those organising a union at work. Yet, collective bargaining coverage is around 34% and trade union density around 25%. Why is this?

Two reports, recently published, show the extent of union busting in Ireland. The University of Limerick first surveyed union officials [staff of trade unions] of their experience of employer responses to unions and found quite shocking levels of hostility. 93% of officials saw members victimised. 82% of officials saw an employer use consultants to resist unions and 63% of officials saw employers threatening to close or relocate their plant/office if their workers organised a union. These results are also mirrored and echoed by union activists and representatives in the workplace themselves. Respect at Work surveyed workplace representatives and found that 69% of respondents trying to organise their union at work faced employer hostility of one kind or another and the most cited example of victimisation of the union representative individually. This report also highlighted the significant negative impact on mental health that employer hostility has on these activists.

We do not have a 'voluntarist' system in Ireland. We have a system of employer veto over workers fundamental human rights.

The Directive is clear on the benefits of collective bargaining, saying "collective bargaining is an essential factor for achieving adequate minimum wage protection and therefore needs to be promoted and strengthened".

That is why the Directive requires countries where collective bargaining coverage is below 80% to promote collective bargaining in order to increase that coverage. Currently, in Ireland, 34% of workers are covered by collective bargaining agreements.

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Ramifications

As it stands, Ireland has the weakest workers' rights in western Europe.

Ireland is one of only two countries in the EU (alongside Cyprus) where there is no recognition in legislation of the need for employee representatives to have protection against dismissal.

This means that employers in Ireland can and do unfairly dismiss employee representatives for engaging in trade union activity.

The Action Plan on Collective Bargaining

The Government has said that in order to give effect to the Directive on Adequate Minimum Wages, it will bring forward an Action Plan on Collective Bargaining. This Plan is currently being drafted by the Department of Enterprise, Tourism, and Employment, and Minister Peter Burke has said it will be published in the coming weeks.

This Action Plan is the key priority of the trade union movement during this Dáil term.

It is an opportunity to finally give Irish workers the same rights as their counterparts across the European Union.

Union members are calling for six key reforms:

1. Ban union-busting outright
2. Protect union reps from dismissal or retaliation
3. Guarantee the right to join and collectively bargain
4. Provide paid time and facilities for reps at work
5. Ensure access to union information in the workplace
6. Use public money (procurement and grants) to reward employers who engage in collective bargaining

We are asking all TDs and Senators to raise this with Minister Burke in order to ensure the best possible protection for workers in Ireland.

