

4th March 2020

An Taoiseach
Mr Leo Varadkar, TD
Government Buildings
Merrion Street
Dublin 2
D02 W924

Re: COVID-19 outbreak – implications for workers

Dear Taoiseach

I am writing to you with regard to COVID-19.

I would firstly like to acknowledge and pay tribute to the government's swift response and that of all relevant public authorities to this unprecedented and rapidly evolving public health threat.

As you are aware, there is deepening concern about the implications for workers. Employees are obliged under the Safety, Health and Welfare at Work Act 2005 to ensure that they do not pose a threat to their workplace. ICTU fully supports and recommends full compliance with these obligations by all workers in the current situation.

With regard to the specific issue of pay, you will be aware that the Workplace Relations Commission has stated in its Guidance Notice for employers and employees, issued this week, that where employees are not covered under a contract of employment or by an agreed attendance policy, there is no statutory entitlement to be paid by their employer for absences from work, including, possibly, absences arising from HSE or the Health Protection Surveillance Centre advice.

Affected workers in sectors where social dialogue, including collective bargaining, is respected will be entitled to full pay, as per existing agreements.

This is not the case however for hundreds of thousands of other workers, including those who may not be entitled to sick-pay, those in low-paying sectors or precarious employment situations, who are highly dependent on income from work. Put bluntly, some workers, through no fault of their own, may simply be unable to afford to self-isolate.

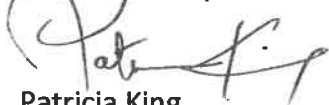
Considering the imperative to ensure that virus containment efforts succeed, it is essential that workers do not experience income interruptions arising from COVID-19. We believe that it is of the utmost importance therefore to uphold the net incomes of all affected workers, either through the social welfare system or through temporary payments.

In this regard we are aware of and are currently examining the UK Government's announcement concerning the extension of sick pay entitlements in the UK. We also note the OECD Interim Economic Assessment's recommendation of this week to cushion the economic effects of the outbreak on vulnerable social groups by providing temporary assistance such as cash transfers. We also believe the WRC's 'guidance' concerning unpaid lay-offs will only exacerbate the potentially negative economic effects of the outbreak, as highlighted in the OECD assessment.

ICTU has proposed to the Workplace Relations Commission the development of a Statutory Code of Practice, to be agreed between the relevant stakeholders, relating to the implications of the outbreak, including for self-isolating workers or workers with caring responsibilities.

We have also engaged with Ibec on this proposal. Though no progress has been made so far, Ibec have said that they remain open to further engagement, as the situation unfolds. We would urge Government to give very serious consideration to our proposals. We are willing to discuss these further with you and with other relevant stakeholders.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Patricia King', written over a circular stamp or seal.

Patricia King
GENERAL SECRETARY

pk/es