



YOUR RIGHTS AT WORK



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Irish Congress of Trade Unions



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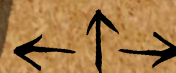
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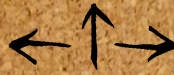
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Introduction



Congress Youth is a group of young workers and trade union members committed to supporting young people in the workplace. We have compiled this information to help you and other young workers understand your rights in the workplace and where to find more information.

If you work in Ireland, regardless of age or nationality, you are entitled to rights and dignity at work, including the right to join a trade union.

Many young workers are unaware of their workplace rights, which can lead them to accept poor working conditions and have low expectations of their work environment.

We hope that the information in this guide will help you to evaluate your workplace experiences and take action to improve them.

Click here
for more info ↓

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BETTER IN A TRADE UNION



Are you working now or planning to work in the future? Are you working and studying at the same time? Are you working part-time, casually or full-time?

No matter where you work or what you do, as a worker, you have rights.

All workers have employment rights, including students and young workers, with entitlements such as an hourly minimum wage rate, a statement of employment conditions, breaks during work and rest periods, paid holidays, and don't forget all workers are entitled to join a trade union and become a member.

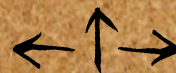


Please remember:

- You have a legal right to join a trade union and you are under no obligation to inform your employer of this.
- It is illegal for your employer to disadvantage, discriminate against, harass or dismiss you for being a trade union member.

Unions make sure working people get a voice at work. Joining a union can help you secure fair wages and respectful treatment at work. If your employer recognises your union, you'll have more options for addressing issues. Even if there isn't a recognised union at your workplace, joining one is still beneficial for valuable advice and support.

If you're interested in joining a trade union, we'll help you take the next steps. Let us know what sector you work in and we will put you in touch with the best union for you, your workplace and your colleagues. It's a great way to make a difference in your own life and the lives of others. You can also browse our directory of unions and what industries they represent here.



Union Vs Non-Union

- Rely on individual and union strength and support.
- Rules and conditions are the basis of negotiations between the union and the employer.
- Workplace procedures, negotiated with the union, are put in place to ensure rules are applied fairly and equally.
- Unions and Employers negotiate pay and benefits and conditions for all workers.
- Workers have more protection through representation, support, advice and action.

- Can only rely on individual strength and support.
- The employer makes all the rules and imposes changes without consultation.
- The employers enforce rules and changes as they see fit.
- The employers decides on the pay, benefits and conditions that will apply in the workplace.
- Workers do not have access to representation within their workplace.



**BETTER
IN A TRADE
UNION**

Written Statement of Employment Particulars

Within 5 days of the start of employment, workers are entitled to be given a written statement containing core terms of their employment. The written statement must list the number of daily and weekly hours that an employee is expected to work. Zero Hour contracts are illegal.

This statement should set out the following in writing:

1. Employer and employee names
2. Employer's address
3. Employee's title/nature/grade of work or brief specification/description of work

4. Date of commencement and any terms and conditions relating to hours of work, including overtime
5. Place(s) of work or if the employee is free to determine own
6. When the contract is expected to end
7. Pay (incl. basic pay and any other pay, frequency and method of pay)
8. Reference period for national minimum wage
9. Normal working hours per day and per week
10. Length of probationary period, if any.

In addition, within one month of the start of employment, workers are also entitled to a 'written statement of terms and conditions' which sets out your employment relationship in more detail.

Working Hours

The [Organisation of Working Time Act 1997](#) governs the hours most employees can work and sets limits on an average working week, statutory entitlement to paid leave, entitlement to rest breaks, annual leave and limits on the normal hours of night work.

An employee should not work more than 48 hours per week, averaged over a three-month period.

The [Protection of Young Persons Employment Act](#) sets maximum working hours and rest breaks. If you are age 16 or 17, you can't work more than 8 hours per day or 40 hours a week.

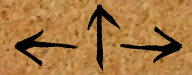


Night work

The night time working period is between midnight and 7am. You are a night worker if you usually work 3 hours per day during this period. For night workers generally, the maximum night time working hours are 8 hours per night averaged over 2 months

The Protection of Young Persons Employment Act bans late night working for young people under the age of 18.

Daily & weekly Rest



All adult workers have the right to 11 consecutive hours daily rest in any 24 hour period. For example, if you finish work at 8pm, you should not start work again until 7am the next day.

Weekly rest are whole days when you don't come into work, usually called 'days' off'. All adult workers are entitled to one period of 24 hours rest per week preceded by a daily rest period (11 consecutive hours) as a minimum.

If you are age 16 or 17 you have the right to 12 consecutive hours daily rest in any 24 hour period. You must take two days off each week. If possible, these two days' rest should be taken together.



Breaks

All adult workers have the right to:

- A 15 minute break when you have worked more than 4 ½ hours
- A 30 minute break when you have worked more than 6 hours, which can include the first 15-minute break.

Special rules apply if you work in a shop and you work more than 6 hours including from 11.30am to 2.30pm. You are entitled to a one hour consecutive break which must be between 11.30am and 2.30pm.

If you are age 16 -17, you are entitled to a 30 minute break after 4.5 hours of work.



Pay

All workers must be paid at least the National Minimum Wage (NMW).

As of January 2025 this is:

- Under 18: €9.45 per hour
- 18 years old: €10.80 per hour
- 19 years old: €12.15 per hour
- 20+ years old: €13.50 per hour

There are different minimum rates of pay for employees in other sectors which are set out in Sectoral Employment Orders and Employment Regulation Orders.

Holiday entitlement

There is a minimum right to paid holiday, but your employer may offer more than this. The main things you should know about holiday rights are:

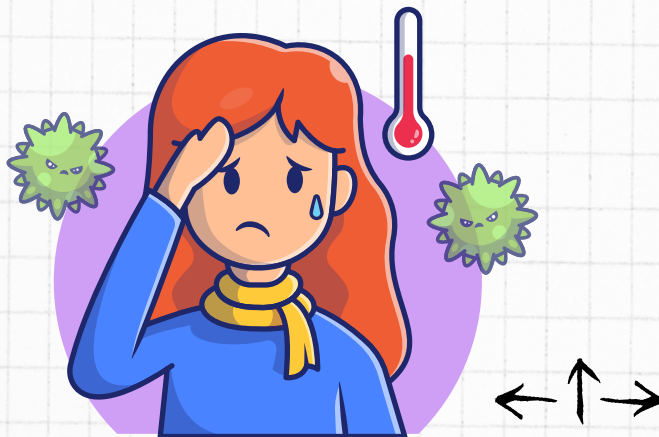
- You are entitled to a minimum of 4 weeks paid annual leave (20 days for someone working five days a week). If you work part time, you have the right to a proportion of this based on the hours you work.
- There are 10 public holidays per year. You are entitled to paid leave on these days.

- Your employer can control when you take your holidays.
- You can start building up holiday entitlement as soon as you start work.
- You get paid your normal pay for your holiday.

Sick Pay

Every worker is entitled to a minimum number of paid days due to illness.

The current number of days is 5 per year. The rate of pay is 70% of your pay up to a maximum of €110 per day. However, this entitlement is conditional on the production of a certificate from a doctor.



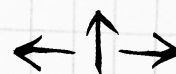
Disciplinary and Grievance

Your employer must put their disciplinary and grievance procedures in writing and make it easily available to all staff. It should include the rules, what performance and behaviour might lead to disciplinary action, and what action your employer might take.

A grievance is a complaint you make about somebody or something at work, for example bullying, harassment, discrimination, poor working conditions.

The Workplace Relations Commission outlines the procedures an employer must follow in the [Code of Practice: Grievance and Disciplinary Procedures](#).

If your employer dismisses you without following this process, you can make an unfair dismissal claim. You normally need at least a year's service before you can make a claim for [unfair dismissal](#).



Dismissal

Dismissal is when your employer ends your employment. The employer must use a fair and reasonable procedure to decide whether to dismiss someone. The employer must show they have:

- A valid reason that they can justify.
- Acted reasonably in the circumstances

Your employer must give you at least the statutory minimum period of notice, which depends on how long you've worked for them:

Length of Service Minimum Notice

Thirteen weeks to two years **One week**

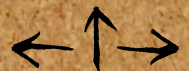
Two to five years **Two weeks**

Five to ten years **Four weeks**

Ten to fifteen years **Six weeks**

More than fifteen years **Eight weeks**

If you are employed on fixed term contract (not a permanent employee) the contract will automatically end without notice at their end date.

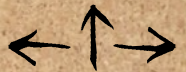


Health & Safety

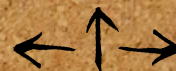
All employers have a duty to provide a safe workplace. By law, an employer must do all they reasonably can to protect the health, safety and wellbeing of all employees.

The employer must:

- Provide and maintain a safe workplace.
- Prevent risks from employees using any article or substance, and from exposure to physical agents, noise and vibration.
- Prevent any improper conduct or behaviour likely to put the safety, health and welfare of employees at risk.
- Provide instruction and training to employees on health and safety.
- Provide protective clothing and equipment to employees.
- Appoint a competent person as the organisation's safety officer.



Equality



The Employment Equality Acts 1998-2015 applies to employees in both the public and private sectors as well as applicants for employment and training.

You cannot be treated unfairly or discriminated against in the workplace because of gender, civil status, family status, sexual orientation, religious belief, age, disability, race or membership of the traveller community.

The Acts oblige employers to make reasonable accommodation for people with disabilities.

Employers are legally responsible for preventing harassment and sexual harassment in the workplace and must ensure that any complaints are taken seriously.

If you work part-time, you cannot be treated differently to someone who works full time simply based on the hours that you work.



Further information

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Neurodiversity Guide

www.ictu.ie/publications/neurodiversity-guide

**Reasonable
Accommodation
Passports**

reasonable-accommodation



www.ictu.ie/publications/make-remote-work



www.workplacerelations.ie/



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agus Comhionannas
Irish Human Rights and
Equality Commission

www.ihrec.ie/



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