



Minister for Labour Affairs Billy Kelleher TD, Ger Deering Director of NERA and the Minister for Enterprise, Trade and Employment, Micheál Martin, TD at the January launch of the NERA publicity campaign in Government Buildings

## Employment Rights Compliance Bill Published

The Employment Rights Compliance Bill was published on 18th March 2008. The legislation, when enacted, will greatly enhance the State's employment rights framework including the establishment of NERA on a statutory basis.

It will also strengthen NERA's powers to carry out employment rights inspections including allowing the Director of NERA to take evidence on oath, ensuring inspectors have greater access to premises, personnel and data and empowering NERA to prosecute summary offences.

The legislation will give NERA the power to examine employment permits and to prosecute related offences. It will also enable NERA to share information with other agencies including the Revenue Commissioners, Department of Social and Family Affairs and An Garda Síochána.

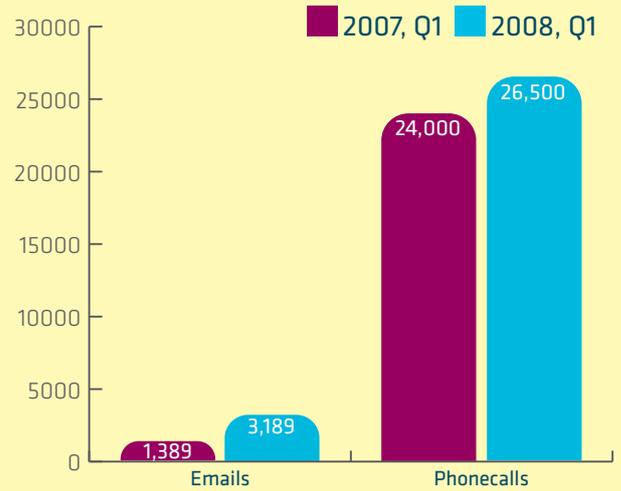
Further information on the provisions contained in the Bill can be obtained from the Department of Enterprise, Trade and Employment - [www.entemp.ie](http://www.entemp.ie)

## NERA's Information Services

Since the launch of NERA's major public awareness campaign, its information line has seen a sharp increase in the number of callers using the service. In the first quarter of 2008 NERA's Information Services dealt with approximately 26,500 telephone callers, representing an increase of approximately 2,500 on the same period in 2007. Information Services also received 3,189 e-mail contacts, representing an increase of approximately 1,800 on the same period in 2007. The three most requested information categories were Redundancy, Holiday Entitlements and Payment of Wages.

Since the launch, Information Services has participated in 24 national and local conferences, exhibitions and seminars including the FAS Opportunities Exhibition in Croke Park.

## NERA Information Service Call/Email Volume



## NERA's Web Site

### www.employmentrights.ie

NERA's website was launched to coincide with the public awareness campaign in January. Since it went live the site has received approximately 670,000 hits. The site is a key source for information on employment rights and continues to be updated and developed to meet evolving needs.

The screenshot shows the NERA website homepage. At the top, there are utility links: "Enlarge Text" (A A A), "Accessibility Statement", "Glossary of Terms", and "Site Map". The NERA logo and name "National Employment Rights Authority" are on the left. A "Website Search" bar is on the right. Below the logo, there are navigation tabs: "Publications", "Information for Employers", "Information for Employees", "About NERA", and "Select your Language". A "You Are Here: Home" breadcrumb is visible. The main content area features two "Information for Employers" sections with images and links: "What are my responsibilities?" and "What are my Rights?". To the right, there is a text block about NERA's establishment and mission. Below this, there are sections for "Contact Us", "Latest News & Events" (with links to public holidays, security sector, and Good Friday), and "About Us" (with links to information services, inspection services, enforcement and prosecution services, and protection of young persons).

## NERA's Inspection Services

Below is a breakdown of NERA's provisional inspection figures for the first quarter of 2008. The first table gives a breakdown of inspections conducted within the industry sectors governed by Employment Regulation Orders (EROs) or Registered Employment Agreements (REAs). These industry specific orders and agreements cover minimum rates of pay and other conditions of employment for these industries. Many of them provide enhanced terms and conditions over and above what is provided for in general employment rights legislation.

The second table gives a breakdown of inspections conducted with respect to general employment rights legislation.

It should be noted that the two categories are not mutually exclusive and that some of the industries

noted are also covered by general employment legislation. Some businesses may account for more than one inspection.

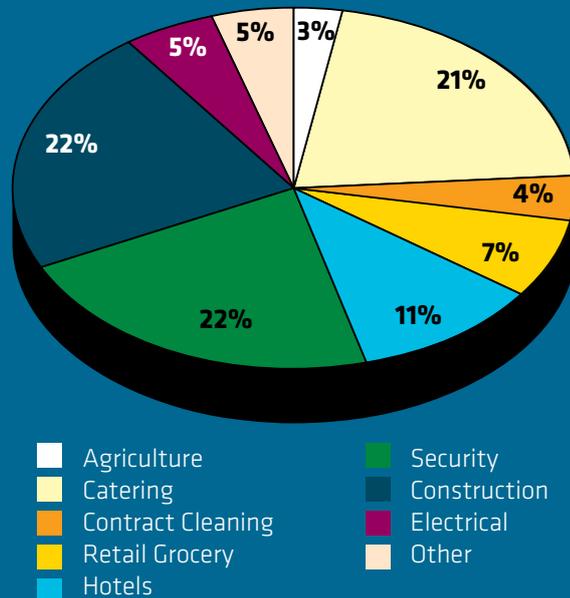
The figures given for the percentage of breaches detected are based on the number of inspections carried out. A high percentage of breaches does not necessarily indicate a high rate of non-compliance within a particular sector. It can result from a small number of inspections, targeted campaigns or inspections in response to a complaint.

In the first quarter of 2008, NERA's inspectors carried out a total of 3,119 calls, interviews and inspections - an increase of 117 on the first quarter of 2007. Breaches were detected in 14% of cases compared with 18% in the same period of 2007. Arrears due to employees totaling €312,845 were recovered compared with €400,146 in the same period of 2007.

### Summary of Inspections and Breaches Detected by Industry Sector (ERO/REA)

Sector	No. of Inspections	Breaches Detected (%)	Arrears Recovered (€)
Agriculture	6	17%	€6,000
Catering	47	66%	€32,127
Retail Grocery	15	60%	€4,539
Hotels	25	76%	€9,262
Contract Cleaning	9	100%	€46,222
Security	49	57%	€8,096
Construction	48	63%	€64,197
Electrical	10	70%	€75,361
Other	11	36%	€0

### Inspections by Industry Sector (ERO/REA)



### Summary of Inspections and Breaches by Employment Legislation

Legislation	No. of Inspections	Breaches Detected (%)	Arrears Collected (€)
National Minimum Wage Act	411	7%	€48,439
Payment of Wages Act	562	10%	€0
Organisation of Working Time Act	559	37%	€18,602
Protection of Young Persons Act	349	7%	€0
Other	0	0%	€0

## Targeted Inspection Campaigns

NERA's aim is to secure compliance with employment rights legislation and to foster a culture of employment rights compliance in Ireland. Part of the Authority's strategy is to focus activities on specific industry sectors and specific legislation, in addition to ongoing routine inspections.

In the course of 2008, it is intended that NERA inspectors will carry out targeted inspection campaigns focusing on areas including security, catering, hotels, agriculture, mushroom sector, the National Minimum Wage Act and the Protection of Young Persons Act. The campaign in the security sector is currently being completed.

## Summary of Prosecution Activity

In the first quarter of 2008, 21 cases were referred to the Chief State Solicitor's Office for prosecution. 28 cases were concluded in this period including a number which were withdrawn or settled prior to the Court hearing.

## Summary of Enforcement Activity

Employment rights legislation provides for the bringing of proceedings for the purposes of enforcing awards of both the Labour Court and the Employment Appeals Tribunal. A total of 18 new cases were received in the first quarter of 2008. Seven cases were concluded in the period.



**NERA**  
National Employment Rights Authority

### NERA Information Services

Lo-call 1890 80 80 90

Email [info@employmentrights.ie](mailto:info@employmentrights.ie)

### NERA Inspection Services

Lo-call 1890 220 100

[inspection@employmentrights.ie](mailto:inspection@employmentrights.ie)

### NERA Enforcement & Prosecution Services

Lo-call 1890 220 200

[enforcement@employmentrights.ie](mailto:enforcement@employmentrights.ie)

[prosecution@employmentrights.ie](mailto:prosecution@employmentrights.ie)

[www.employmentrights.ie](http://www.employmentrights.ie)