



INCREASE OF 26% IN CALLS DEALT WITH IN FIRST QUARTER OF 2009

NERA Information Services saw a significant increase in the volume of enquiries from both employees and employers in the first quarter on 2009. In this period over 33,500 telephone enquiries were dealt with, an increase of over 26% on the same period in 2008. NERA Information Services also received over 3,200 email enquiries during the same period.

The most requested information categories continue to be redundancy, holiday/public holidays and payment of wages. NERA's website, www.employmentrights.ie, continues to be a comprehensive and up to date source of information on employment rights. The website generated over 470,000 web impressions and was viewed by almost 100,000 visitors in the period January to March 2009.

During the first quarter of 2009, NERA participated in and collaborated with a number of national and local conferences, exhibitions, seminars and initiatives including: The Irish Hotels Federation Annual Conference; The Restaurant Association of Ireland Annual Conference; BiznetCork Skillnet (in association with Cork Chamber of Commerce); the Kilkenny Business Womens Network; IMPACT School Secretaries Branch AGM; the National Conference of the Migrant Rights Centre of Ireland and the new ICTU UnionConnect service which includes a helpline (0818 300 900), aimed at providing general information about how workplace difficulties can be addressed.



ENHANCED REDUNDANCY INFORMATION AVAILABLE THROUGH NERA

As of April 2009, NERA Information Services (lo-call 1890 80 80 90) will now handle all telephone queries in relation to redundancy issues. This change in role will ensure that staff of Redundancy Payments Section of the Department of Enterprise, Trade and Employment are able to concentrate and prioritise the processing of redundancy claims. In addition to general information on redundancy, NERA can now provide information as to whether a redundancy claim has been entered on the redundancy payments system, the date of entry on the system and the latest processing times for claims.

INCREASE OF 31% IN CALLS, INTERVIEWS AND INSPECTIONS CARRIED OUT IN FIRST QUARTER OF 2009

The tables below provide a breakdown of NERA's provisional inspection figures for the first quarter of 2009. 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 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, campaigns or inspections undertaken in response to complaints.

In the first quarter of 2009, NERA's inspectors carried out a total of 4,570 calls, interviews and inspections - an increase of 1,452 on the first quarter of 2008. Arrears due to employees totalling €471,328 were recovered compared with €312,845 in the same period of 2008.

Table 1

Inspections and Breaches Detected by Industry Sector - Q1 2009			
Sector	No of Inspections	Breaches Detected (%)	Arrears Recovered (€)
Agriculture	17	29%	€436
Catering	155	80%	€97,562
Retail Grocery	79	73%	€65,184
Hotels	26	69%	€17,516
Contract Cleaning	80	60%	€57,277
Security	12	42%	€20,708
Construction	100	61%	€103,348
Electrical REA	2	100%	€0
Other	43	9%	€18,251

Table 2

Inspections and Breaches by Employment Legislation - Q1 2009			
Sector	No of Inspections	Breaches Detected (%)	Arrears Recovered (€)
National Minimum Wage	477	11%	€56,503
Payment of Wages	855	17%	€0
Organisation of Working Time	866	49%	€34,543
Protection of Young Persons	1,020	1%	€0

SUMMARY OF PROSECUTION ACTIVITY

NERA has completed a tendering process for provision of legal services and will shortly complete contracts with the successful tenderers. Currently there are 43 cases referred for prosecution and 32 cases were concluded in the first quarter.

SUMMARY OF ENFORCEMENT ACTIVITY

Employment rights legislation provides for the bringing of proceedings for the purposes of enforcing certain awards of both the Labour Court and the Employment Appeals Tribunal. A total of 28 new cases were received in the first quarter of 2009, 14 cases were concluded in the same period.

NERA STAKEHOLDER BRIEFING AND LAUNCH OF 2008 ANNUAL REVIEW

On 11th February NERA held a stakeholder/media briefing in Dublin Castle. The event was well attended by employers and employee representatives and the community and voluntary sectors. The briefing was addressed by the Minister for Labour Affairs, Billy Kelleher TD and the Director of NERA, Ger Deering. NERA also used the event to launch its publication 'Review of 2008' which outlined progress achieved towards meeting NERA's objectives during 2008. The NERA '*Review of 2008*' can be downloaded at www.employmentrights.ie.



Employment Law Explained



 NERA



GUIDES & LEAFLETS

- Information on Holidays and Public Holidays Organisation of Working Time Act, 1997 : Explanatory Booklet
- Organisation of Working Time Act, 1997. Sunday Premium Provision of Information Zero Hours: Explanatory leaflet for Employers and Employees
- Payment of Wages Act: Explanatory Booklet for Employers and Employees
- Detailed Guide to the National Minimum Wage Act, 2000
- Terms of Employment (Information) Act, 1994 and 2001: Explanatory Booklet for Employers and Employees
- A Guide to the Industrial Relations Act, 1990
- A Guide to the Employees (Provision of Information and Consultation) Act 2006
- Unfair Dismissals Acts, 1997 to 2007: Explanatory Booklet for Employers and Employees
- Protection of Employees (Fixed-Term Work) Act, 2003: Explanatory Booklet for Employers and Employees
- Protection of Employees (Part-Time Work) Act, 2001: Explanatory Booklet for Employers and Employees
- Protection of Young Persons (Employment) Act, 1996: Guide for Employers and Employees
- Guide to Redundancy Payments Scheme
- Carer's Leave Act, 2001: Explanatory Booklet for Employers and Employees
- European Communities (Protection of Employees on Transfer of Undertakings) Regulations, 2003: Explanatory Booklet for Employers and Employees
- Guide to the Insolvency Payments Scheme: Explanatory Booklet
- Guidelines for Employees, Employers and Practitioners appearing before the Employment Appeals Tribunal
- Protection of Employment Act, 1977
- Guide to Inspections
- Guide to Labour Law
- Equal Rights and Opportunities for Men and Women in the European Union
- The Organisation of Working Time Act, 1997: Explanatory Leaflet for Employers and Employees
- Protection of Young Persons (Employment) Act, 1996. Summary of main rules on employing people under 18.

- Minimum Notice and Terms of Employment Acts, 1973 to 2001: Explanatory Leaflet for Employers and Employees
- Rights at a Glance Leaflet Available in Arabic; Chinese; Czech; English; French; Irish; Latvian; Lithuanian; Polish; Portuguese; Russian; Spanish
- Guide to Employment Rights Available in Arabic; Chinese; Czech; English; French; Irish; Latvian; Lithuanian; Polish; Portuguese; Russian; Spanish
- Employment Law Explained

CODES OF PRACTICE

- Code of Practice for Determining Employment or Self-Employment Status of Individuals
- Organisation of Working Time Act, 1997. Code of Practice on Compensatory Rest Periods: Explanatory Booklet
- Organisation of Working Time Act, 1997. Code of Practice on Sunday Working in the Retail Trade
- Code of Practice for Protecting Persons Employed in Other People's Homes: Explanatory Booklet
- Code of Practice for Addressing Bullying in the Workplace
- Code of Practice Concerning the Employment of Young Persons in Licensed Premises
- Code of Practice Dispute Procedures including in Essential Services

POSTERS

- Employment Rights at a Glance
- Under 18 Protection of Young Persons Act

FORMS

- T1A Form - Notice to Claim to the Employment Appeals Tribunal
- RP50 Form - Redundancy Payments Acts 1967 - 2007
- RP77 Form - Explanatory Note for Employee when applying to an Employer for a Lump Sum
- RP9 Form - Lay off and Short Time Procedures
- RP6 Form - Leaving before Redundancy Notice Expires
- Labour Inspectorate Section - Complaint Form
- OWT1 Form

The full range of forms for making a complaint to the Employment Appeals Tribunal and the Rights Commissioners are available from NERA.



NERA
National Employment Rights Authority

Contact Details

National Employment Rights
Authority,
O'Brien Road, Carlow.
Telephone: (059) 917 8800,
Fax: (059) 917 8912
www.employmentrights.ie

NERA Information Services

Telephone: (059) 917 8990,
Lo-Call: 1890 80 80 90
Fax: (059) 917 8909

NERA Inspection Services

Telephone: (059) 917 8990
Lo-Call: 1890 220 100

NERA Enforcement & Prosecution Services

Telephone: (059) 917 8890
Lo-Call: 1890 220 200

Callers should note that the rates charged for the use of 1890 (Lo-Call) numbers may vary among different service providers.



An Roinn Fiontar, Trádála agus Fostaíochta
Department of Enterprise, Trade and Employment