

Cad é a theastaíonn le go mbeidh rath san áit oibre d'fhostóirí agus d'fhostaithe araon?

Toradh Foghlama 2.4: Idirdhealú a dhéanamh idir cearta agus freagrachtaí an fhostóra agus an fhostaí ó pheirspictíocht dhlíthiúil, shóisialta, chomhshaoil agus eiticiúil



COMHIONANNAS FOSTAÍOCHTA

Tugann Comhionnanas Fostaíochta aghaidh ar leithcheal ar fhostaithe faoi na naoi bhforas seo a leanas

- Inscne
- Stádas Sibhialta
- Stádas Teaghlaigh
- Gnéaschlaonadh
- Reiligiún
- Aois
- Míchumas
- Cine
- Lucht Siúil

An raibh a fhios agat go bhfuil cearta ag tomholtóirí faoin reachtaíocht comhionannais?

CEARTA FOSTAÍOCHTA

- Saoire
- Íocaíocht pá
- Íospá Naisiúnta
- Lón Uasta Uaireanta Oibre
- Coinníollacha Fostaíochta Scríofa
- Fógra Íosta
- Cosaint ar Dhífhostuithe Éagóracha
- Dul isteach i gceardchumann
- Cearta ar leith d'oibrithe faoi bhun 18 mbliana d'aois

An bhfuil a fhios agat go bhfuil cearta ag fostóirí freisin?

An féidir lear smaoineamh ar shamplaí eile?

BREITHNIÚ AGUS IDIRGHABHÁIL CCÁO

- Is féidir le fostaithe gearán a dhéanamh leis an CCÁO má mheasann siad nach bhfuair siad an méid atá siad i dteideal a fháil faoin reachtaíocht Fostaíochta nó Comhionannais
- Más mian leis na páirtithe an cheist a réiteach gan éisteacht bhréithnithe, is féidir go dtairgí idirghabháil dóibh le hEadránaí de chuid CCÁO
- Mura roghnaítear idirghabháil, éistfidh Breithneoir de chuid an CCÁO le seasamh an dá thaobh agus rialú nó breith dhlíthiúil a dhéanamh
- Is féidir achomharc a dhéanamh i gcoinne chinneadh bhréithneoir an CCÁO



FREAGRACHTAÍ

Fostaithe

- Comhlíonann siad dualgais sannta
- Cloíonn siad le beartais an ionaid oibre
- Rúndacht
- Poncúlacht agus Tinreamh

Cad é a cheapann tú?

Fostóirí

- Cloí leis an reachtaíocht fostaíochta
- Taifid a choinneáil
- Comhoibriú le gníomhaireachtaí stáit m.sh. an Coimisiún um Chaidreamh san Áit Oibre
- Asbhaintí reachtúla a ríomh

An féidir lear smaoineamh ar shamplaí eile?

COMHAONTUITHE SAN ÁIT OIBRE

- Tá an tsaoirse ag fostóirí agus ag fostaithe sraith de théarmaí agus de choinníollacha a shocrú trí idirbheartaíocht ar an gcaoi a n-oibreoidh siad lena Chéile
- Is féidir le fostaithe teacht le chéile chun dul isteach i gceardchumann a dhéanfaidh ionadaíocht orthu i dteannta a chéile ina gcaibidlíocht leis an bhfostóir chun réiteach inghlactha a bhaint amach lena n-áirítear, mar shampla, téarmaí agus coinníollacha pá feabhsaithe
- Tugtar Comhaontú Comhchoiteann ar chomhaontú a dtugtar air idir fostóir agus ceardchumann

IDIR-RÉITEACH AN CCÁO

- Is próiseas deonach é Idir-réiteach an Choimisiúin um Chaidreamh san Áit Oibre (CCÁO) ina dtagann fostóirí agus fostaithe le chéile chun réiteach ar a ndíospóid a phlé
- Ceapann an Coimisiún éascaitheoir, ar a dtugtar Oifigeach Caidreamh Tionscail (IRO), chun gníomhú mar chathaoirleach neamhspleách neamhchlaonta
- Bíonn réiteach nó socrú ann nuair a thagann na páirtithe ar chomhaontú atá inghlactha go frithpháirteach le cúnamh Oifigeach Athbhreithnithe Neamhspleách
- Sa chás go dtagann deireadh leis an bpróiseas gan chomhaontú, féadfaidh na páirtithe Rogha a dhéanamh an díospóid a chur faoi bhráid na Cúirte Oibreachais lena réiteach sin a fháil



What makes the workplace work for employers and employees?

Business Studies Learning Outcome 2.4: Distinguish between the rights and responsibilities of employer and employee from a legal, social, environmental and ethical perspective



EMPLOYMENT EQUALITY

Employment Equality addresses workplace discrimination of employees on the following nine grounds

- Gender
- Civil Status
- Family Status
- Sexual Orientation
- Religion
- Age
- Disability
- Race
- The Traveller Community

Did you know that consumers have rights under equality legislation?

WRC ADJUDICATION & MEDIATION

- Employees can make a complaint to the WRC if they believe they have not received what they are entitled to under Employment or Equality legislation
- If the parties want to resolve the matter without an adjudication hearing, they may be offered mediation with a WRC Mediator
- If mediation is not selected, a WRC Adjudication Officer will hear the position of both sides and make a legal ruling
- The decision of the WRC Adjudicator can be appealed to the Labour Court



WORKPLACE AGREEMENTS

- Employers and employees are free to negotiate a set of terms and conditions for how they will work with each other
- Employees can come together to join a trade union that will represent them collectively in negotiations with the employer to achieve an acceptable resolution which include for example, improved pay terms and conditions
- A Collective Agreement is an agreement reached between an employer and a trade union

EMPLOYMENT RIGHTS

- Leave
- Payment of wages
- National Minimum Wage
- Maximum Hours of Work
- Written Terms of Employment
- Minimum Notice
- Protection from Unfair Dismissals
- To join a trade union
- Specific rights for workers under 18 years of age

Do you know that employers also have rights?

Can you think of other examples?

RESPONSIBILITIES

Employees

- Carry out assigned duties
- Comply with workplace policies
- Confidentiality
- Punctuality and attendance

What do you think?

Employers

- Adhere to employment legislation
- Record keeping
- Co-operate with state agencies e.g. WRC
- Calculate statutory deductions

Can you think of other examples?

WRC CONCILIATION

- WRC Conciliation is a voluntary process where employers and employees meet to discuss a resolution of their dispute
- The WRC appoints a facilitator, known as an Industrial Relations Officer (IRO), to act as the independent, impartial chairperson
- A settlement occurs where the parties reach a mutually acceptable agreement with the assistance of an IRO.
- Where the process ends without agreement the parties can opt to refer the dispute to the Labour Court for recommendation

