

Organise - Educate - Agita Ste

Laws and loopholes!

Legislation covering the rights of workers and their conditions of employment is minimal. The legislation guarantees the rights listed on the other side of this leaflet, but not much more; and even these are open to interpretation and leave massive legal loopholes. These loopholes can be easily exploited by employers as they seek to maximise their profits at the expense of unaware workers and their rights. Recent decisions from the European Court of Justice and directives from the EU are also further undermining what national legislation we have. These attacks must be resisted. Trade unions should play the role of informing and protecting workers while constantly fighting and struggling to further their rights.

Young workers should join and get involved in a trade union of their choice. Most trade unions have youth committees and structures that can be made into a more effective voice in campaigning to defend and advance your rights. Unions are a worker's best form of defence in this age of "flexible labour." The recent success of the young apprentices of BATU and TEEU in the DIT colleges was due to their union involvement.

In today's world, young people's rights are not a priority and come well down the list. We are used as cheap and disposable labour, where profits can be easily amassed. Today Irish trade unions represent more than 700,000 workers; however, unions are only as relevant as their members want them to be.

The Connolly Youth Movement is made up of young workers and has had a long history of raising, articulating and fighting for the many issues that workers face. Members of the CYM are involved in different unions and continue to raise youth issues.

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Minimum wage

All workers over the age of eighteen are entitled to the most basic right, that of the minimum wage, which at present is €8.65 per hour. For workers under eighteen it is €6.06 per hour.

Terms and conditions of employment

When they start work, employees must be provided by their employer with their terms and conditions of employment. These are: the name and address of the employer, the nature of the work, the starting date of employment (and, if it's a fixed-term contract, the date of termination), entitlement to paid leave, the rate and frequency of pay, any pension or sick-pay schemes, and any collective agreements that have been signed. If the employer has no group pension scheme, information on a personal pension must be provided to the employee.

Health and safety

Employers must produce a safety statement, identifying the potential hazards that exist in the work-place and what measures they have established to avoid accidents.

Working hours

An annual average of 48 hours per week is the maximum one may work. However, the employer is allowed discretion in when these hours are worked. Workers under 18 may work no more than 8 hours a day, or 40 hours per week.

Annual leave

Workers are entitled to 20 working days' leave if they work at least 26 hours per week throughout the year. The time of leave is determined by the employer.

Notice

If you have worked for less than 13 weeks, no notice is required. If you have worked for less than a year, one week's notice is required. After a year you are covered by the Unfair Dismissals Act. The employer is entitled to one week's notice if you have worked more than 13 weeks.

Rest breaks

Workers over 16 are entitled to a break of 30 minutes after working 4½ hours, to 12 hours off after every working day, and two days off every seven days.

Unfair dismissal

To qualify under the Unfair Dismissals Act, a worker must be over the age of sixteen and be in the same employment for more than a year. If you feel you have been dismissed unfairly, contact your trade union or the Labour Relations Commission.