

## INDUSTRIAL RELATIONS



### INDUSTRIAL RELATIONS

#### Definition

This look at the relationship between the employer and the employee.

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## INDUSTRIAL RELATIONS



### BENEFITS OF GOOD INDUSTRIAL RELATIONS

1. Easier to retain and recruit quality staff
2. There will be low levels of absenteeism and labour turnover
3. Staff are more productive
4. There will be fewer industrial disputes.

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### INDUSTRIAL DISPUTES

#### Definition

This is a legal term used to describe any conflict between workers and employees

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### CAUSES OF INDUSTRIAL DISPUTES

Industrial Disputes are usually caused by the following conflicts

1. Over pay
2. Redundancies
3. Working conditions
4. Unfair Dismissal
5. Discrimination of staff.

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### CONFLICT CAN BE MADE WORSE BY

1. Poor Communication
2. Unrealistic employees
3. Demanding Employers
4. Autocratic Managers
5. Lack of trust.

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### PROMOTE GOOD INDUSTRIAL RELATIONS

1. Paying good Wages
2. Having open communication
3. Building trust and respect
4. Treating staff fairly
5. Having a clear Grievance Procedure.

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### TRADE UNIONS

#### Definition

This are organisation that represent the views and interest of employees with issued concerning pay and condition of employment.

For Example - SIPTU

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### BENEFIT OF UNIONS TO EMPLOYEES

1. Seek to protect employee rights
2. Look for better pay and conditions
3. Provide advice to members (about strikes)
4. Provide a national voice (ICTU)

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### BENEFITS OF UNIONS TO EMPLOYERS

1. Communication is easier

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### IRISH CONGRESS OF TRADE UNIONS

#### Definition

This is the body that speaks and acts for all Unions in Ireland.

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### FUNCTION OF THE ICTU

1. Acts as a negotiate for all unions when dealing with the government EU and IBEC
2. Promotes the benefits of union membership
3. Resolves disputes and disagreements
4. Provided training, education and research.

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### COST OF LIVING CLAIM

#### Definition

This is where employees want an increase in wage in line with inflation.

**For Example** - Inflation in Ireland increase by 2% - Employee want their wages to increase by 2%

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### COMPARABILITY CLAIM

#### Definition

This is where employees want similar pay and condition to workers doing the same job in a different company.

**For Example** - Bus Drivers want the same pay as LUAS Drivers

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### RELATIVITY CLAIM

#### Definition

This is when one group of workers want to keep higher pay gap than another group.

**For Example** - Floor Staff get a wage increase - Chefs want a wage increase too to keep the pay gap

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### PRODUCTIVITY CLAIM

#### Definition

This occurs when workers seek an improvement in pay and condition as a reward for increasing their output

**For Example** - workers in a warehouse meet increase target - so they want a wage increase for their hard work

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## INDUSTRIAL RELATIONS ACT 1990 (1)



### 1. Disputes must be legitimate

A legitimate dispute is over pay & conditions, duties, dismissal. It is illegal to go on strike if you don't agree how the business is run.

### 2. Unions must hold a secret Ballot

This is when the employee vote confidentially. They tick yes or no on a piece of paper and put it in a ballot box. It is do confidentially so no one known how each other votes. They need a majority to go out on strike.

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## INDUSTRIAL RELATIONS ACT 1990 (2)



### 3. Give one-week notice

The union must give one week notice to the employer. This is to give him time to try and resolve the dispute and prevent the strike from going ahead. It will give both parties time to have talks and negotiate an agreement.

### 4. Official Disputes

These are legitimate trade disputes that have received approval from the majority of workers. A secret ballot has taken place and 1 weeks' notice given

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## INDUSTRIAL RELATIONS ACT 1990 (3)



### 5. Immunity

This means that the employer can't sue unions or employee for loss of earning during the strike. This only occur when the steps for an official dispute have been followed.

### 6. Unofficial Disputes

This are disputes that have not approval from the union of ICTU. These types of dispute are illegal and don't provide legal protect to the employee from being sued by the employee for loss of earnings.

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**INDUSTRIAL RELATIONS ACT  
1990 (4)**



**7. Picketing**

**Primary Picketing** - This involves employees and trade union official walking up and down outside the workplace informing the public that there is a strike on here. They will be holding placards to inform the public.

**Secondary Picketing** - This means holding a picket outside another business. This only happen if the employees believe that the second business is helping the first business to frustrate the strike.

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**INDUSTRIAL RELATIONS ACT  
1990 (5)**



**PRIMARY PICKETING**

**Definition**

This involves employees and trade union official walking up and down outside the workplace informing the public that there is a strike on here.

They will be holding placards to inform the public.

**For Examples** - Teachers

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**INDUSTRIAL RELATIONS ACT  
1990 (6)**



**SECONDARY PICKETING**

**Definition**

This means holding a picket outside another business.

This only happen if the employees believe that the second business is helping the first business to frustrate the strike.

**For Example** - Brenan's Bread driver picket Johnson, Mooney and O'Brien

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**TYPES OF STRIKES (1)**

**Wildcat strike** - This is an unofficial strike where no advance warning is given to management. They usually occur over some issue but are resolved very quickly.

**Token Stoppages** - This involves workers stopping work for a short period of time to demonstrate their unhappiness wit the employer. It also shows solidarity amongst workers.

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**INDUSTRIAL RELATIONS**



**TYPES OF STRIKES (2)**

**Work to Rule** - This means employee only do their jobs and nothing extra. This can be frustrating for the employer as the employee are not on full strike and are entitle to full pay as they are still doing their job.

**Go Slow** - This means that employee only carry out the minimum amount of work that they can get away with.

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**INDUSTRIAL RELATIONS**



**TYPES OF STRIKES (3)**

**Overtime ban** - This happens when employee refuse to do overtime.

**All out Strike** - This all union members are orders to stop working by ICTU. It is very serious and is usually followed by Picketing.

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**INDUSTRIAL RELATIONS ACT  
1990 (3)**



**WILDCAT STRIKE**

**Definition**

This is an unofficial strike where no advance warning is given to management. They usually occur over some issue but are resolved very quickly.

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**LAW OF THE  
CONTRACT (10)**



**TOKEN STOPPAGES**

**Definition**

This involves workers stopping work for a short period of time to demonstrate their unhappiness wit the employer. It also shows solidarity amongst workers.

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**LAW OF THE  
CONTRACT (11)**



**WORK TO RULE**

**Definition**

This means employee only do their jobs and nothing extra. This can be frustrating for the employer as the employee are not on full strike and are entitle to full pay as they are still doing their job.

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### GO SLOW

#### Definition

This means that employees only carry out the minimum amount of work that they can get away with.

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## INDUSTRIAL RELATIONS



### OVERTIME BAN

#### Definition

This happens when employees refuse to do overtime and just work the hours that are in their contract

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### ALL OUT STRIKE

#### Definition

This is when all union members are orders to stop working by ICTU. It is very serious and is usually followed by Picketing.

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### COMPARABILITY CLAIM

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This is where employees want similar pay and condition to workers doing the same job in a different company.

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### PRODUCTIVITY CLAIM

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This occurs when workers seek an improvement in pay and condition as a reward for increasing their output

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### CONSEQUENCES OF A STRIKE (1)

**1. Business**- Operation and production are disrupted resulting in a loss in sales and profits. This will give competitors an opportunity to gain back market share. The reliability and reputation of the business may also be affected.

**2. Employees** - will lose wages and might have to use their savings for their everyday needs. Their job security may be affected if the business has to close due to the strike

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### CONSEQUENCES OF A STRIKE (2)

**3. Customers** - will not be able to get their goods/service and they might use a competitor's product/ service, result in them staying with the competitor and realise that the product/service is better.

**4. Suppliers** - might not have a market for their product and thus may go out of business. There could also not supply the business anymore because of the strike and the trust between the business and supplier has been broken.

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### CONSEQUENCES OF A STRIKE (3)

**5. Investors** - will have a reduction in their dividends as the business has lost potential sales due to the strike. The business may now find it hard to repay back loans fi the strike lasts a long time.

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# Consequences

### CONSEQUENCES OF STRIKE TO STAKEHOLDERS

1. Business
2. Employees
3. Customers
4. Suppliers
5. Investors

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### WORKPLACE RELATIONS COMMISSION SERVICES (1)

1. Advisory service
2. Conciliation
3. Mediation
4. Adjudication
5. Inspection
6. Enforcement of Decisions

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### CONCILIATION

#### Definition

This is a voluntary process where parties to a dispute agree to a third party to help them resolve their differences. An Industrial Relations Officer will **help them** to come to a recommendation. Solutions are reached by negotiation between the parties

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### WORKPLACE RELATIONS COMMISSION SERVICES (2)

1. **Advisory Service** - promotes good practice by assisting and advising organisations in aspects of industrial relations.
2. **Conciliation** - This is a voluntary process where parties to a dispute agree to a third party to help them resolve their differences. An Industrial Relations Officer will **help them** to come to a recommendation.

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## INDUSTRIAL RELATIONS



### WORKPLACE RELATIONS COMMISSION SERVICES (3)

3. **Mediation** - try to arrive at a solution through an agreement between the parties. at an early stage. The Mediation Officer empowers the parties to negotiate their own agreement.
4. **Adjudication** - The role is to hold a hearing where both parties are given an opportunity to be heard and to present any evidence relevant to the complaint

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### WORKPLACE RELATIONS COMMISSION SERVICES (4)

5. **Compliance/Inspection** - visit places of employment and carry out investigations on behalf of the WRC in order to ensure compliance with equality and employment-related legislation,
6. **Enforcement of Decisions** - If an Employer fails to carry out a decision of an Adjudication Officer

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### LABOUR COURT

#### Definition

This is a court of Last resort. If the WRC fails to solve a dispute or a decision is appealed, it will be heard here. It provides an arbitration service by listening to both side and them given recommendations.

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## INDUSTRIAL RELATIONS



### ARBITRATION

#### Definition

This is when a third party to a dispute (Labour courts) **will recommend** both parties how to solve their dispute

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### PURPOSE OF THE LABOUR COURT

1. **Consist of representatives** - From the employers (IBEC) from the Trade Union (ICTU) and a chairperson.
2. **Only get involved** - when asked by the WRC, if a decision by the Industrial Relation officer/Mediation office has been rejected or by special requested form the Minister.
3. **Provide and Arbitration service** -
4. **Register Industrial Relation Agreements**

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**UNFAIR DISMISSAL ACT**  
**1977-2015**



**UNFAIR DISMISSAL**

**Definition**

This means being sacked from a job due to incompetence, dishonesty or breach of company discipline.  
Unfair dismissal applies to employee who are employed for over 1 year

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**UNFAIR DISMISSAL ACT**  
**1977-2015**



**FAIR DISMISSAL (1)**

1. **Incompetent/Incapable** - means that the employee is not able to do their job properly. This could be due to having a poor work attitude or absenteeism.
2. **Unacceptable Behaviour** - means that the employee conduct is unacceptable and breaking company policy.

For example - fighting, dishonesty or being drunk during work.

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**UNFAIR DISMISSAL ACT**  
**1977-2015**



**FAIR DISMISSAL (2)**

3. **The job becomes redundant**  
This means that there is no job for the employee anymore.
4. **Employer followed proper procedures** - the employer follows the proper grievance procedure before dismissing the employee. This include given the employee a verbal warning, then a written warning, given them an opportunity to give their side to the warning, to have representation.

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**UNFAIR DISMISSAL ACT**  
**1977-2015**



**UNFAIR DISMISSAL**

For any of the following reasons

1. To take maternity, parental adoptive or carer leave
2. For joining a trade union
3. For complaining about breach of Min wage law
4. Because of their age
5. Because of religious or political opinions
6. If they are a race, colour, gender or sexual orientation.

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**UNFAIR DISMISSAL ACT**  
**1977-2015**



**EMPLOYEES RIGHT BEFORE DISMISSAL**

Before being dismissed an employee has a right to

1. Know the reason for their dismissal
2. Have a right to reply to those reasons
3. To have a fair hearing
4. To be represented at the hearing

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**UNFAIR DISMISSAL ACT**  
**1977-2015**



**THE PENALTIES FOR UNFAIR DISMISSAL**

1. **Financial Compensation** - This means getting money up to a maximum of 2 years pay
2. **Reinstatement** - This means the employee getting their old job back as well as financial compensation
3. **Reengagement** - This means that the employee is given their own job back

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**EMPLOYMENT EQUALITY ACT**  
**1998-2015**



**DISCRIMINATION**

**Definition**

This is when one person is treated less favourable than another  
It covers job applicants -full and part time employee and customers.

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**EMPLOYMENT EQUALITY ACT**  
**1998-2015**



**DEALING WITH DISCRIMINATION**

**Legislative**

For disputes involving groups

1. Take it to the WRC who provide different services
2. If this doesn't work take it to the Labour court

For dispute involving individuals

1. Take it to the WRC who provide different services
2. Mediation service.

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**EMPLOYMENT EQUALITY ACT**  
**1998-2015**



**A DEALING WITH DISCRIMINATION**

**Non-Legislative**

1. Talk to the employer
2. Seek help from the union.

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**EMPLOYMENT EQUALITY ACT**  
**1998-2015**



**ILLEGAL TO DISCRIMINATE AGAINST**  
**ANYONE AT WORK ON THE BASIS OF**

- |                       |                     |
|-----------------------|---------------------|
| 1. Gender             | 2. Martial status   |
| 3. Family Status      | 4. Age              |
| 5. Disability         | 6. Race             |
| 7. Sexual orientation | 8. Religious Belief |
| 9. Being a traveller. |                     |