

Chapter 19

Ordinary Level Questions

Q1. Outline one way employees are protected **legislatively** and **non-legislatively** in the workplace.

Legislatively:

Employees are protected through the Workplace Relations Commission (WRC), which investigates complaints and can issue legally binding decisions where employment rights are breached.

Non-legislatively:

Employees may use the grievance procedure within the workplace to resolve issues internally before taking formal legal action.

Q2. Based on current legislation, explain one right employees have that are related to each of the following:

1. Working conditions

2. Dismissal

3. Health and safety

1. Working Conditions

Employees cannot work more than an average of 48 hours per week under the *Organisation of Working Time Act 1997*. This protects work–life balance.

2. Dismissal

Employees have the right not to be unfairly dismissed under the *Unfair Dismissals Acts 1977–2015*. An employer must have fair grounds (incapable, lack of qualification) and follow proper procedures (issue warnings).

3. Health and Safety

Employees have the right to a safe working environment under the *Safety, Health and Welfare at Work Act 2005*. Employers must ensure the workplace does not pose risks.

Q3. Based on current employment legislation, list four grounds under which discrimination is illegal.

Gender, Age, Disability, Race
(Any four of the nine protected grounds acceptable.)

Q4. Circle TRUE or FALSE for each of the following statements:

Statement	TRUE / FALSE
Employees have a legal right to be paid at least the minimum wage.	TRUE
Employers must provide written terms of employment.	TRUE
It is legal to dismiss someone based on their age.	FALSE
Employees are responsible for providing a safe working environment.	FALSE

Q5. (i) Do employees in Ireland have the right to join a trade union? YES

(ii) Outline two ways that trade unions support employees in the workplace.

Representation in Talks

Trade unions represent employees in disputes with management over issues such as pay, working hours or disciplinary action. A shop steward or union official can attend meetings and speak on behalf of the employee to ensure their rights are protected.

Collective Bargaining

Trade unions negotiate with employers to improve wages, working conditions and benefits for groups of workers. These negotiations can lead to a collective agreement that sets out agreed terms for employees.

Legal and Practical Support

Trade unions provide advice and legal assistance to members. They can support employees in bringing cases to the Workplace Relations Commission or Labour Court if their employment rights have been breached.

Q6. (i) Explain the term gig-based economy and give one example of a freelance or on-demand job.

The gig-based economy refers to work that is temporary or freelance, often arranged through digital platforms, where workers are paid per task rather than earning a fixed salary.

Example of a freelance or on-demand job.

Food delivery rider working for Deliveroo.

(ii) Identify two opportunities **and** two challenges faced by workers in the gig-based economy.

Opportunity: Greater flexibility in choosing working hours.

Opportunity: Ability to work for multiple clients.

Challenge: Lack of employment rights such as paid leave.

Challenge: Unpredictable income.

Q7. Advise a working friend on how each of the following Budget changes might affect their **net take-home pay**. For each one, say if it would likely **increase** or **decrease** their **take-home pay**, and give a brief reason.

1. An increase in personal tax credits

Would this change increase or decrease their take-home pay? **Increase**

Tax credits reduce the amount of income tax owed, so higher credits increase take-home pay.

2. A widening of the PAYE standard band by €2,000

Would this change increase or decrease their take-home pay? **Increase**

More income is taxed at 20% instead of 40%, reducing total tax paid.

3. A cut to the lower rate of USC charged

Would this change increase or decrease their take-home pay? **Increase**

Lower USC means less money is deducted from wages.

4. An increase in the rate of PRSI charged

Would this change increase or decrease their take-home pay? **Decrease**

Higher PRSI results in greater deductions from wages, reducing take-home pay.

Higher Level Questions

Q1. Describe how employees are protected both legislatively and non-legislatively in the workplace.

Non-Legislative Protection

Grievance Procedure

Employees are protected through the internal grievance procedure, which allows them to formally raise complaints about issues such as unfair treatment or working conditions. This protects employees by ensuring their complaint is investigated in a structured and transparent way within the organisation.

Trade Union Representation

Employees may be supported by a shop steward or trade union official during workplace disputes. This protects employees by ensuring they are represented in meetings with management and are not dealing with issues alone.

Legislative Protection

Workplace Relations Commission (WRC)

Employees can bring complaints to the WRC if their employment rights are breached. The WRC can investigate cases and issue legally binding decisions, providing formal legal protection.

Labour Court

Employees may appeal WRC decisions to the Labour Court. The Labour Court provides an independent review and can issue binding rulings, ensuring employment rights are upheld under Irish law.

Q2. Investigate how current employment legislation sets out the rights and responsibilities of employees under the following areas, providing two points for each:

(i) Working conditions

Right to Limited Working Hours

Under the *Organisation of Working Time Act 1997*, employees cannot work more than an average of 48 hours per week. This protects employees from excessive working hours and supports work–life balance.

Right to Paid Annual Leave and Rest Breaks

Employees are entitled to statutory rest breaks, daily rest periods and paid annual leave under the same Act. This ensures employees receive adequate time off for rest and recovery.

(ii) Health and safety

Right to a Safe Working Environment

Under the *Safety, Health and Welfare at Work Act 2005*, employees have the right to work in an environment that does not expose them to unnecessary risk. Employers must take reasonable steps to prevent accidents and injuries.

Right to Safety Training

Employees are entitled to receive appropriate health and safety training under the same Act. This ensures they understand workplace hazards and how to perform their duties safely.

(iii) Dismissal

Right Not to Be Unfairly Dismissed

Under the *Unfair Dismissals Acts 1977–2015*, employees cannot be dismissed without fair grounds such as incapability, gross misconduct or redundancy. Employers must justify their decision.

Right to Fair Procedures and Redress

Employees are entitled to fair disciplinary procedures before dismissal and may seek redress through compensation, reinstatement or re-engagement if dismissed unfairly.

Q3. (i) Can employers ban their employees from joining a union? **NO**

(ii) Outline three ways joining a trade union might support an employee working in a large retail chain.

Representation in Talks

Trade unions represent employees in disputes with management.

This means a shop steward or union official can attend meetings and ensure fair procedures are followed.

In a retail store, this could involve supporting a worker in a disciplinary meeting about lateness or a dispute over contracted hours.

Collective Bargaining

Trade unions negotiate with employers to improve wages and working conditions.

This can result in a collective agreement that applies to a group of employees.

In a retail store, the union may negotiate higher hourly pay rates or improved Sunday premium payments for staff.

Legal and Practical Support

Trade unions provide advice and legal assistance to members and can support employees in bringing cases to the Workplace Relations Commission.

In a retail store, this could involve supporting an employee who believes they were unfairly dismissed or discriminated against.

Q4. (i) Define the term gig-based economy and explain how it differs from traditional full-time employment.

The gig-based economy refers to work that is temporary, freelance or task-based, often arranged through digital platforms. Workers are usually paid per task or project rather than receiving a fixed salary.

It differs from traditional full-time employment because gig workers are generally classified as self-employed. They do not usually have guaranteed hours, fixed income or access to statutory benefits such as paid leave, sick pay or pension contributions.

(ii) Identify two opportunities and two challenges for workers operating in the gig-based economy. Use examples in your answer.

Opportunities

Increased flexibility. For example, a food delivery rider can choose when to log in and accept jobs, allowing them to balance work with study or other commitments.

Ability to earn income from multiple sources. A freelance graphic designer may work for several clients at the same time through online platforms.

Challenges

Fewer employment rights. A delivery driver may not receive paid holidays or sick leave because they are classified as self-employed.

Unpredictable income. For example, a driver may earn less during quiet periods when demand is low.

Q5. (i) Outline two ways the annual government budget can affect a worker, **excluding** changes that impact their take-home pay.

Introduction of Additional Public Holidays or Extended Leave

The Budget may introduce new public holidays or extend statutory leave entitlements, improving working conditions and supporting better work–life balance for employees.

Increased Investment in Education and Training

The Budget may allocate funding to apprenticeships or upskilling programmes, improving workers' skills, employability and long-term career progression.

(ii) Explain how each of the following Budget changes may impact a worker's net take-home pay:

A decrease in the level of personal tax credits they receive

Impact: Net take-home pay decreases.

Reason: Tax credits reduce the amount of income tax owed. If tax credits decrease, the worker pays more income tax, reducing their take-home pay.

An increase in the standard rate of PAYE charged on income

Impact: Net take-home pay decreases.

Reason: A higher PAYE rate means a greater percentage of income is deducted as tax, reducing the amount the worker receives.

The bands used to calculate USC are widened at the lowest rate

Impact: Net take-home pay increases.

Reason: More income is taxed at the lower USC rate, reducing the total USC payable and increasing take-home pay.

An increase in the rate of PRSI charged

Impact: Net take-home pay decreases.

Reason: A higher PRSI rate results in greater deductions from wages, leaving the worker with less net pay.

Read the following and then answer the questions that follow

The Business World – Dispute continues at FlexiTech

FlexiTech is a tech support company based in Dublin, employing over 50 workers who provide remote troubleshooting services for clients across Europe. Most employees are on full-time contracts, working rotating shifts, including evenings and weekends.

Over time, workers began to notice issues:

- Many were asked to work beyond their contracted hours without proper overtime pay.
- Staff covering evening shifts were not receiving additional allowances.
- Payslips were inconsistent, with some deductions unexplained.

Several employees raised concerns with management, but no changes were made. The staff approached the Workplace Relations Commission (WRC) for advisory support. While the WRC provided guidance to both sides, FlexiTech's management didn't act on the recommendations.

As frustration grew, employees contacted their trade union. The union arranged conciliation talks, but management did not attend the first meeting. In response, the union began preparing for potential industrial action.

A vote was scheduled to ballot members on whether to move forward with an official strike if no resolution was reached. Union leaders stressed the importance of following the correct procedures to ensure the action would be lawful and protected under Irish employment law.

Q1. Outline two employee rights under Irish legislation that may have been breached at FlexiTech.

Right to Be Paid for Work Completed

Under the *Payment of Wages Act 1991*, employees are entitled to receive proper payment for all hours worked. Asking staff to work beyond contracted hours without appropriate overtime pay may breach this right.

Right to Accurate Payslips

Employees are entitled to receive a written payslip clearly showing gross pay and deductions. Inconsistent payslips with unexplained deductions may breach this entitlement.

Q2. Circle TRUE or FALSE for each statement about the case study:

Statement	TRUE / FALSE
Employees are entitled to be paid for all hours worked.	TRUE
Employers can dismiss employees for requesting union support.	FALSE
Conciliation is an external approach to resolving conflict.	TRUE
Part-time workers do not legally need to receive a payslip from their employer.	FALSE

Q3. Other than being an advisory service and offering conciliation services, describe two ways the **Workplace Relations Commission (WRC)** provides legislative protection for employees in a workplace like FlexiTech.

Adjudication Service

The WRC can hold a formal hearing where an Adjudication Officer examines complaints under employment law. The officer can issue a legally binding decision, including compensation where rights have been breached.

Inspection and Compliance Service

The WRC can carry out workplace inspections to ensure employers comply with employment legislation. Inspectors can investigate breaches even where no formal complaint has been made.

Q4. (i) Explain why the trade union needed to ballot members before taking strike action.

Under the *Industrial Relations Act 1990*, a trade union must hold a secret ballot of its members before organising official strike action. This ensures that members support the action and that the strike is lawful.

(ii) Why is it important for trade union members to follow proper legal procedures during industrial action?

Following correct legal procedures ensures that the strike is protected under Irish law. If correct procedures are not followed, the trade union may lose its immunity from legal action and could be sued for losses suffered by the employer.