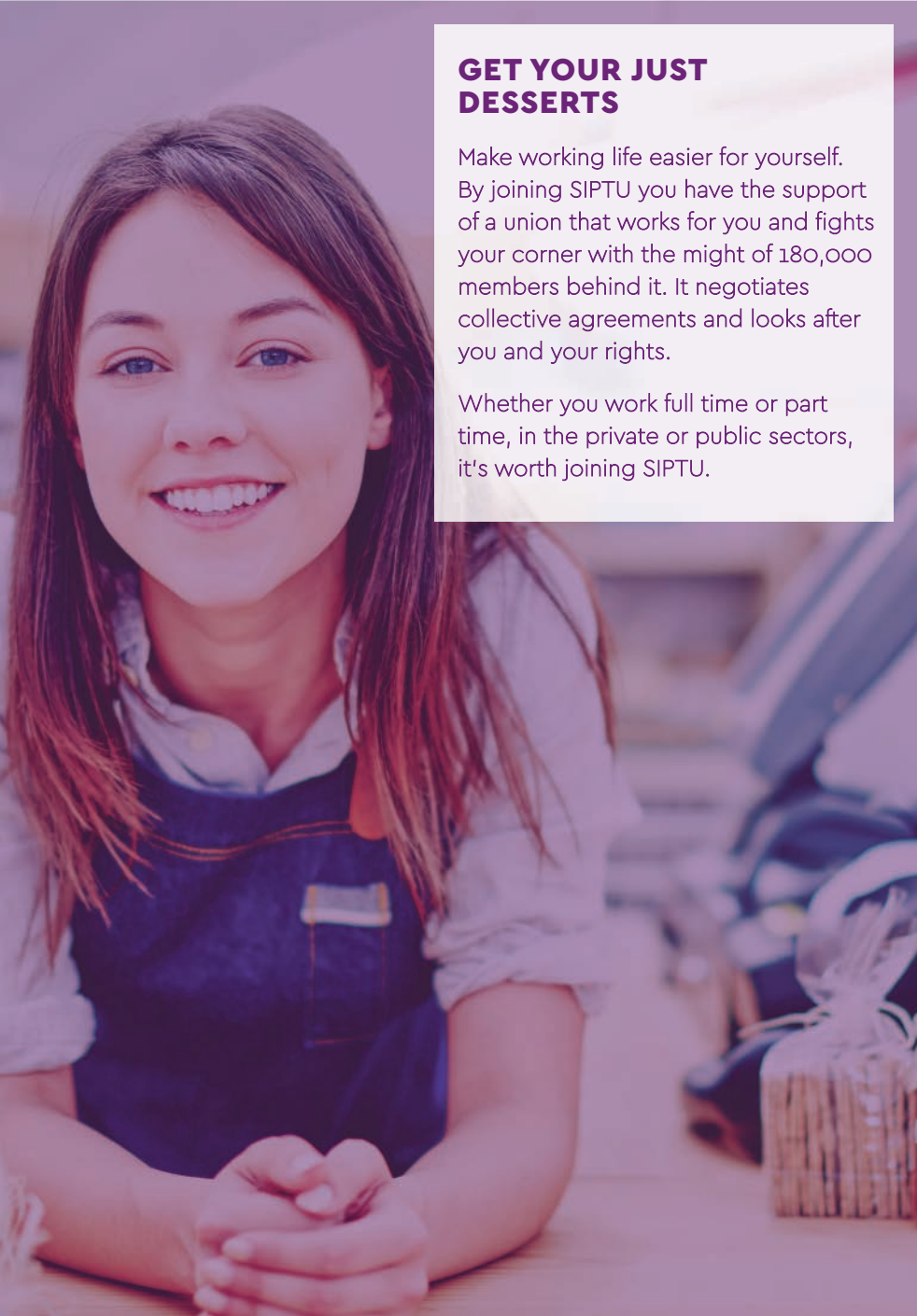




# YOUNG WORKER SURVIVAL GUIDE

April 2023



## **GET YOUR JUST DESSERTS**

Make working life easier for yourself. By joining SIPTU you have the support of a union that works for you and fights your corner with the might of 180,000 members behind it. It negotiates collective agreements and looks after you and your rights.

Whether you work full time or part time, in the private or public sectors, it's worth joining SIPTU.

## **THE RIGHT TO JOIN A UNION**

You have the right to join a trade union. Unions provide their members with advice and representation, as well as negotiating with the employers over pay and working conditions.

## **PAYSLIP**

You have the right to receive a payslip, showing how much you are paid before and after tax, as well as any deductions.

## **DEDUCTIONS FROM YOUR WAGES**

Your employer cannot deduct money from your wages without your written agreement, except under certain conditions where it is required by law (e.g. taxes) or if it is stated in your contract of employment.

## **MAXIMUM WORKING HOURS**

The legal maximum average working week for adult workers is 48 hours. This average is calculated over a period, usually 4 months for most jobs, and in some cases 3 or 6 months.

## **BREAKS**

After working 4 hours 30 minutes you are entitled to a break of 15 minutes or if you work 6 hours you are entitled to a 30 minute break. The 15 minute break may be included in this. This applies to adult workers; see page 12 for information on workers under 18 years.

## **ANNUAL LEAVE**

Provided you have worked enough hours (see [www.workersrightscentre.ie](http://www.workersrightscentre.ie) for calculations), you are entitled to a minimum of four weeks annual leave per year. You may provided more annual leave by your employer, which would be recorded in your employment contract. Annual leave requests are at the discretion of your employer to approve, but your employer must take into account your family obligations as well as the need for rest and recreation.

## **PUBLIC HOLIDAYS**

There are 10 public holidays per year. Full time employees who work or are normally rostered to work the public holiday are entitled to either an extra day's pay or a paid day off. Part-time workers are also entitled to this but only if they have worked at least 40 hours in the 5 weeks leading up to the day of the public holiday.

## **HARASSMENT, DISCRIMINATION, VICTIMISATION**

You are protected against workplace harassment, discrimination or victimisation based on the following: race/ethnicity, age, sexual orientation, religion, family status, gender, disability, civil status or membership of the travelling community.

## **MATERNITY LEAVE**

Pregnant workers are entitled to maternity leave of 26 weeks and payments for this period may be provided by the Department of Social Protection. Additional unpaid leave of 16 weeks is also available. You are entitled to return to the same job under the same contract of employment once you finish your maternity leave. You carry over your annual leave entitlements and public holiday entitlements while on maternity leave.

## **PATERNITY LEAVE**

There is an entitlement to two weeks' paternity leave for fathers, as well as the spouse or civil partner or co-habitant of the mother. Payment is available from the State.

## **PROTECTION AGAINST UNFAIR DISMISSAL**

It is unlawful for your employer to dismiss you from your job due to your race, ethnicity, sexual orientation or for any other reason listed in the Unfair Dismissal Acts. It is also unlawful for you to be dismissed due to trade union membership.

If you have at least one year's service with your employer, then you are also protected in other ways. For example if you are accused of misconduct you have the right to a fair and impartial hearing and determination of the issues, the right to an appeal, the right to be presented with the full details of what you are accused of etc. This is a complex area so if you are in this situation you should seek professional advice e.g. from your trade union.

A photograph of a man with a beard and short hair, wearing a blue and white plaid shirt. He is looking down at a tablet computer he is holding in his hands. He has a colorful beaded bracelet on his right wrist and a silver metal watch on his left wrist. The background is blurred, showing what appears to be an office or workshop setting with shelves and various items.

## **USI, ISSU AND SIPTU PARTNERSHIP**

This booklet is brought to you by the trade union SIPTU, the Union of Students in Ireland and the Irish Second-level Students Union.

The unions are co-operating to defend and advance the needs of young people at work in Ireland.

Please note: The information listed in this booklet is not an exhaustive list of your rights. For full information it is advisable to seek advice from your union.



**FREE ADVICE FOR  
USI AND ISSU MEMBERS**

As part of the USI-ISSU SIPTU partnership, all members of USI and ISSU can call SIPTU Workers Rights Centre for advice and guidance on your rights at work. Contact the Workers Rights Centre on 1800 747 881, or visit [www.workersrightscentre.ie](http://www.workersrightscentre.ie)

**1800 747 881**

## STATEMENT OF TERMS AND CONDITIONS

Within 5 days of the start of employment workers are entitled to be given a statement containing core terms of their employment.

This statement should set out the following in writing:

- the employer and employees names;
- the employer's address;
- the employee's title/nature/grade of work or brief specification/description of work;
- the employee's date of commencement and any terms and conditions relating to hours of work, including overtime;
- the employee's place(s) of work or if the employee is free to determine own;
- when the contract is expected to end;
- the employee's pay (incl. basic pay and any other pay, frequency and method of pay);
- the reference period for national minimum wage
- the employees normal working hours per day and per week that the employer reasonably expects them to work; and
- the employee's length of probationary period, if any

In addition, within one month of the start of employment workers are also

entitled to a 'written statement of terms and conditions' which sets out your employment relationship in more detail.

## MINIMUM WAGE

Experienced adult workers are entitled to be paid at least the national minimum wage. As of 1st January, 2023 the minimum wage rates are as follows:

| Age group        | Minimum hourly rate of pay | % of minimum wage |
|------------------|----------------------------|-------------------|
| Aged 20 and over | €11.30                     | 100%              |
| Aged 19          | €10.17                     | 90%               |
| Aged 18          | €9.04                      | 80%               |
| Aged under 18    | €7.91                      | 70%               |

## EMAILS, MONITORING, PRIVACY

All citizens have rights in relation to privacy, and legislation such as the Data Protection Acts offers employees certain protections at work in relation to CCTV usage, monitoring of emails etc. However, employers are permitted to monitor employees for certain purposes, such as for protection against theft or to protect the employer's reputation in the case of posts on social media.

Employers must provide workers with a readily accessible, clear and accurate statement of policy with regard to email and internet use, including the use of social media, in the workplace.

## WEEKLY REST

Normally, adult workers are entitled to a 24 hour rest period in each 7 day period. This should be a Sunday unless otherwise stated in your contract. However, as an alternative your employer may instead give you two 24 hour rest periods back-to-back in a fortnight. Normally, the 24 hour rest period should be consecutive to an 11 hour rest period which will give you a 35 hour rest period.

## DAILY REST

In any given 24 hour period an adult worker should be given 11 hours continuous rest period. So when looking at your roster, you should not be able to find any continuous 24 hour period (e.g. 4.00 a.m. Tuesday – 4.00 a.m. Wednesday; or 8.00 p.m Friday - 8.00 p.m. Saturday) without an 11 hour continuous rest period in it.

## STATUTORY SICK PAY SCHEME

Statutory Sick Pay was introduced on 1st January, 2023 and is paid at 70% of gross salary, capped at €110 per day. Sick days can be taken as consecutive or non-consecutive days. Workers cannot carry over unused sick days to the following year. The sick pay year is the calendar year, so it runs 1st January to 31st December. In order to qualify for this sick pay, the worker must:

- Be an employee
- Have worked for their employer for at least 13 continuous weeks before they are sick
- Be certified by a GP as unable to work
- Not be a member of a sick pay scheme that overall has better conditions than provided for under the Sick Leave Act.

## HEALTH AND SAFETY

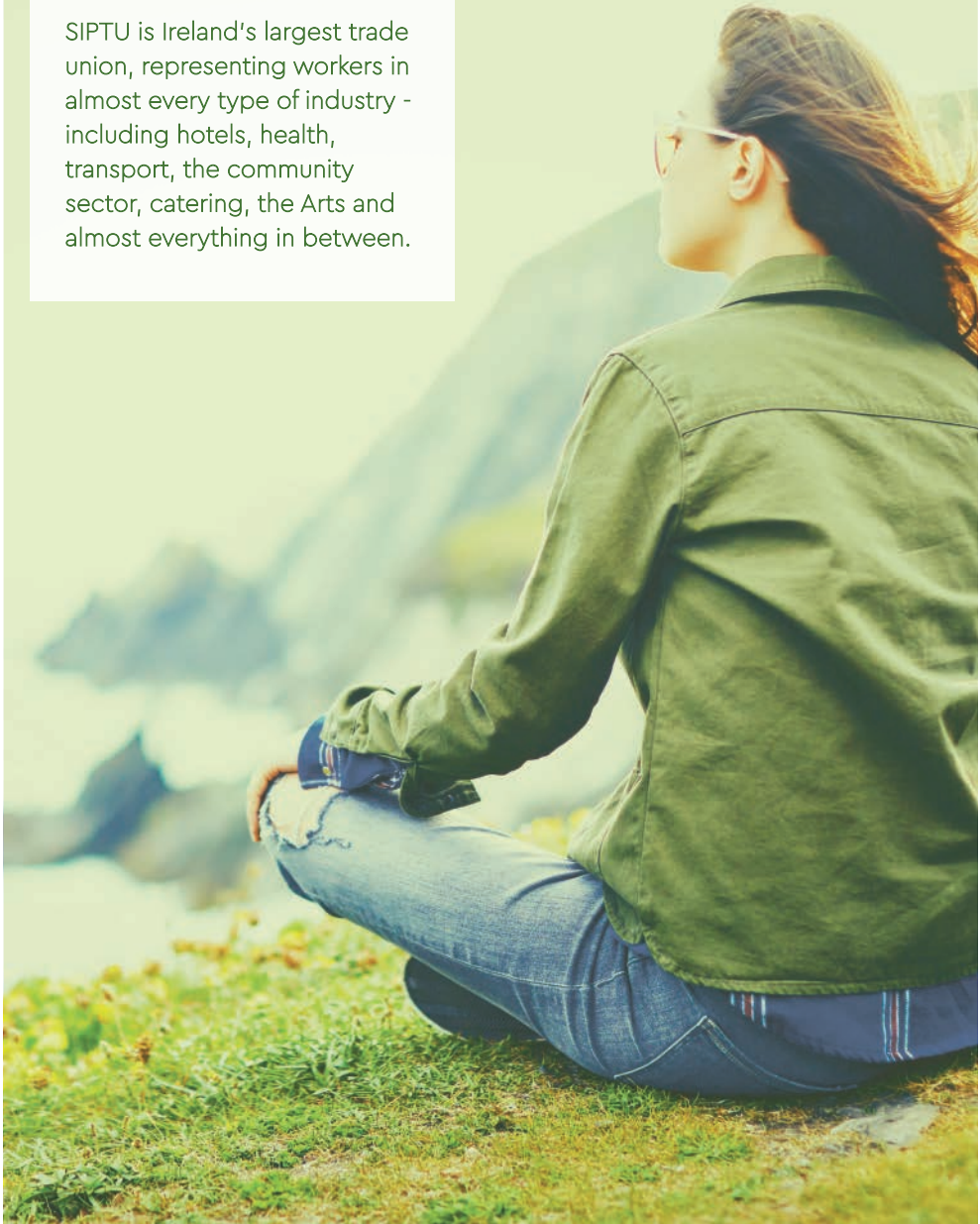
Your employer has certain obligations under the Safety, Health and Welfare at Work Act 2005. These include issues such as safe plant and equipment, protection against exposure to physical agents and noise and vibrations, responsibilities in relation to visual display units (computer screens), improper conduct and behaviour etc. The employer is responsible for training and for appointing a competent person as the Health and Safety officer.

Employees also have obligations, such as reporting potentially dangerous equipment defects in the workplace, not to engage in improper behaviour that will endanger themselves or others, etc.



## **SIPTU - THE UNION FOR STUDENT WORKERS**

SIPTU is Ireland's largest trade union, representing workers in almost every type of industry - including hotels, health, transport, the community sector, catering, the Arts and almost everything in between.



## **USI - THE UNION OF STUDENTS IN IRELAND**

USI is the national representative body for the 374,000 students in third level education on the island of Ireland. We are a membership organisation – our members are our affiliated Students' Unions around Ireland, North and South.



## **WHAT CAN I DO IF MY RIGHTS ARE BEING BREACHED?**

- You can raise the matter informally with your employer.
- You can seek advice from your trade union (all students can call SIPTU's Workers Rights Centre on 1800 747 881).
- You can seek advice from a solicitor.
- You can refer the matter to the Workplace Relations Commission. (However, it is recommended to seek professional advice and to try and resolve the matter locally first).

## **MAKING A COMPLAINT TO YOUR EMPLOYER**

If you have a problem at work, sometimes it is best to speak to your manager/supervisor informally. However, you can also raise a formal "grievance". Most companies have formal grievance procedures, sometimes described in the employee handbook or employment contracts. Once you raise a formal grievance your employer should investigate the grievance and give you the outcome in writing. If you are not satisfied then you may appeal. After that you have the right to refer the matter to the Workplace Relations Commission. You should seek advice from your trade union before making a formal grievance.

## NOTICE PERIODS

| Length of Service    | Minimum Notice |
|----------------------|----------------|
| 13 weeks to 2 years  | 1 week         |
| 2 years to 5 years   | 2 weeks        |
| 5 years to 10 years  | 4 weeks        |
| 10 years to 15 years | 6 weeks        |
| 15 years or more     | 8 weeks        |

You are entitled to a minimum notice period if you are being let go from your job. The amount of notice you are entitled to will depend on how long you have worked in this employment.

## WORKING AT 16-17

The maximum working week for children aged 16 and 17 is 40 hours with a maximum of 8 hours a day. Employers must keep records for every employee aged under 18 including details of the employee's starting and finishing times for work. You must have a half hour break after 4 and a half hours of work. You must have 12 consecutive hours free between shifts.

When you are 16-17, you must not be employed after 10.00 p.m. or before 6.00 a.m. Working in pubs is an exception, where you can work until 11.00 p.m. on days that are not

followed by a school day. You cannot serve alcohol at any time, however, unless you are above 18.

## WORKING AT 14-15

At 14 you have the right to get a part-time job but you can only work during school holidays. You can work 35 hours a week during the holidays but you must have 21 days off over these holiday periods in total.

At 15 you can work during the school term but only for a maximum of 8 hours per week. and a maximum of 35 hours during school holidays, and up to 40 hours on work experience. You must have parental consent and your birth cert to prove your age.

You must have a ½ hour break after 4 hours of work and 14 consecutive hours off between shifts i.e. if you finish at 7.00 p.m. you can only start work the next day after 9.00 a.m. You must have 2 days off per week and these must be consecutive if possible. If you have approved work experience you can work for 40 hours per week. Employers cannot employ children under 16 in regular full-time jobs.

Employers may not require 14-15 year olds to work before 8.00 a.m. in the morning or after 8.00 p.m. at night.



## ISSU

The Irish Second-Level Students' Union is the national union for Irish Second-Level students aiming to represent and connect students, working towards an education system where the views, opinions and contributions of students are respected and in which students are recognised as an official partner in creating an education system that is centred around, and caters best for, students.



# Membership Application Form

SIPTU, Finance & Administration Dept., Liberty Hall  
Eden Quay, Dublin 1, D01 E5Y3 • Tel: 1800 747 881

Please complete the form using block letters, give full postal address where requested, sign and return to the above address  
**I wish to apply for membership of SIPTU and agree by its rules and to pay contributions as appropriate under the Rules of the Union**

First name:

Surname:

Home Address:

Male  Female  Date of Birth:  Nationality:

Telephone:  Mobile Phone No.:

Preferred Mailing Address:  Home  Work  E-mail:

Name of Company:

Your employment location:

Full/Part Time Employee \_\_\_\_\_ Hours p.w. \_\_\_\_\_ Member of Pension Fund? Yes  No

Gross Weekly Pay Band (tick box) Over €500 p.w.  €325 - €500 p.w.  €200 - €325 p.w.  €127 - €200 p.w.  Under €127 p.w.

Occupation: \_\_\_\_\_ Payroll No./Clock No.: \_\_\_\_\_

If former member of SIPTU/Other union please state union: \_\_\_\_\_

Signature: \_\_\_\_\_

Please indicate if you would like to receive regular news updates from SIPTU via E-mail  TXT message to your mobile  none

# SIPTU - SEPA DIRECT DEBIT MANDATE

**\*Creditor Identifier: IE63ZZZ303672**

By signing this mandate form, you authorise (A) SIPTU to send instructions to your bank to debit your account and (B) your bank to debit your account in accordance with the instruction from SIPTU. As part of your rights, you are entitled to a refund from your bank under the terms and conditions of your agreement with your bank. A refund must be claimed within 8 weeks starting from the date on which you account was debited. Your rights are explained in a statement that you can obtain from your bank.

## PLEASE COMPLETE SECTION 2

|   |   |
|---|---|
| <b>SECTION 2</b>                              | *Your Name: <input type="text"/>                                    |
|   | *Your Address: <input type="text"/>                                 |
|   | <input type="text"/>  |
|   | <input type="text"/>  |
|   | <input type="text"/>  |
|   | *City/postcode: <input type="text"/> *Country: <input type="text"/> |
|   | *Account number (IBAN): <input type="text"/>                        |
| *Swift BIC <input type="text"/>               |   |
| *Name & Address of Bank: <input type="text"/> |   |
| <input type="text"/>                          |   |
| <input type="text"/>                          |   |
| *Signature: _____ <input type="text"/>        |   |

|                  |  |
|------------------|--|
| <b>SECTION 3</b> | SIPTU, Direct Debit Centre, SIPTU Finance Department, Liberty Hall, Dublin 1, D01 E5Y3   |
|                  | *Unique Mandate Reference <input type="text"/> *Type of payment Recurrent <input type="checkbox"/> or One-Off Payment <input type="checkbox"/> (Please tick ✓) |

SIPTU is committed to the General Data Protection Regulations 2018, and aims to maintain consistently high standards in protecting and securing all of your personal information. Our Privacy Notice can be viewed at [www.siptu.ie/privacystatement](http://www.siptu.ie/privacystatement)

SCAN  
ME!  
TO JOIN  
SIPTU



[www.siptu.ie/join](http://www.siptu.ie/join)

