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Re: Meath Council of Trade Unions Promoting Collective Bargaining Under the Adequate Minimum Wages Directive:

Response Submission to Department of Enterprise, Trade and Employment Public Consultation.

Dear Sir, Madam,

1st May 2025

➤ Promote Sectoral Collective Bargaining:

In response to the second part of the question under the Article 4(1)(a) heading regarding ‘other capacity building activities that would assist the social partners to engage in collective bargaining’, it is important to acknowledge the emphasis in Article 4(1)(a) on collective bargaining at sector or cross-industry level.¹ Similarly, Recital 16 describes sectoral and cross-industry level collective bargaining as an ‘essential factor’ that needs to be promoted and strengthened and the European Commission services have said that Article 4 needs to be read together with Recital 16.

It is clear that promoting collective bargaining, and in particular sectoral or cross-industry bargaining, is a core aim of Article 4(1)(a). All Member States with a collective bargaining coverage of 80 per cent and more have sectoral bargaining as the dominant level of bargaining, whereas all countries with coverage below 50 per cent or less are characterised by the dominance of company-level bargaining.²

As noted above, the importance of sectoral bargaining is (partly) acknowledged in the Final Report of the LEEF High Level Working Group.³ It goes on to say that a ‘key legislative mechanism for supporting sectoral collective bargaining already exists in the form of the legislation establishing Joint Labour Committees (JLCs) and that ‘properly functioning JLCs can be an effective, evolving, and

¹ ‘Cross-industry’ refers to more than one sector according to the European Commission services.

² Müller and Schulten (2024), p.76

³ Final Report of the LEEF High Level Working Group, p.6



flexible system of sectoral regulation.⁴ The Final Report's recommendation to de facto abolish the employers' veto by establishing a process for proceeding with an employment regulation order in the event that employers, in accordance with fair procedures, are given all reasonable opportunity to engage *but decline to do so*, should be implemented without any further delay.

It should be noted that in response a query and information provided by Ireland's representatives at the European Commission's expert group in 2023, the European Commission services said that Ireland's system of sectoral regulation, 'approved by the government on the basis of a proposal from joint labour committees or a labour court', are not collective agreements in the sense of Article 3(4).⁵ More recently however, ICTU has been formally advised by the Government that it has engaged further with the European Commission services on this matter and that the European Commission services now say that this system may be considered with respect to the obligation to promote collective bargaining. This presumably would also mean EROs (and SEOs also) could be included in the report on the rate and development of collective bargaining coverage under Article 10 (discussed below). **In order to ensure the social partners' involvement in all Article 4 measures and other articles that promote collective bargaining, the Government should make public all correspondence between it and the European Commission services on Ireland's JLCs/EROs system.**

The European Commission services has said that most of the provisions of Article 4(1) were inspired by existing ILO Conventions. Four are referenced in Recital 24 – the Freedom of Association and Protection of the Right to Organise Convention No 87 (1948), the Right to Organise and Collective Bargaining Convention No 98 (1949), the Labour Relations (Public Services) Convention No 151 (1978), and the Collective Bargaining Convention No 154 (1981). **The ILO should therefore be commissioned by Government to review, with Government and with the involvement of the social partners, on building and strengthening collective bargaining, in particular sectoral bargaining, in accordance with the ILO Conventions listed in Recital 24.** This review could be undertaken utilising the EU Technical Support Instrument

Furthermore, given that Ireland supported the adoption of a Directive, provisions of which were inspired in part by two ILO Conventions it has not yet **ratified the Labour Relations (Public Services) Convention No 151 (1978)⁶ and the Collective Bargaining Convention No 154 (1981)), the Government should now ratify these two Conventions.**

⁴ Final Report of the LEEF High Level Working Group, p.7

⁵ The expert group report does not identify contributions by individual Member States' representatives but it is clear this exchange concerned Ireland. This issue was apparently raised by Ireland's representatives during and after the sessions reserved for Member States' representatives only.

⁶ It should be noted that the Compilation of Decisions of the ILO Committee on Freedom of Association: Paragraph 1497 states that, 'Convention No. 151, which was intended to complement Convention No. 98, by laying down certain provisions concerning, in particular, protection against anti-union discrimination and the determination of terms and



➤ Adopt Extension Mechanisms for Sectoral Collective Agreements:

The use of extension mechanisms for sectoral agreements has been identified as the most widespread instrument for achieving high collective bargaining coverage in other Member States.⁷ These ensure that sectoral agreements apply to all companies in the respective sectors.⁸

The European Commission services have said that workers covered by the extension of collective agreements will come under the definition of collective bargaining coverage (Article 3(5)) and will be considered both in the numerator and denominator for estimating coverage, regardless of whether they are members of trade unions or not.

Employment Regulation Orders (EROs) and Sectoral Employment Orders (SEOs) do have de facto extension effects. By contrast, extensions mechanisms for collective agreements no longer exist, since (sectoral) Registered Employment Agreements (REAs) now only bind the unions and employers that are party to the agreement.⁹ Consideration should therefore be given towards adopting extension mechanisms for (sectoral) collective agreements. This could be done for example by **re-instating extension mechanisms for sectoral Registered Employment Agreements (REAs)** and/or through more substantial reform arising from an ILO-led review of Ireland's industrial relations system as suggested above.

Crucially, measures to encourage and support sectoral bargaining will only be effective if accompanied by measures to arrest and reverse the decline in density. If Ireland is to achieve the aim of increasing collective bargaining coverage and of facilitating the exercise of the right to collective bargaining, in accordance with Article 4 obligations, the decline in density must be addressed. Recital 16 is explicit in attributing the erosion of traditional collective bargaining structures over recent decades, inter alia, to the *decline in trade union membership*, (in particular as a consequence of union-busting practices and the increase of precarious and non-standard forms of work).

The OECD points out that in countries such as Ireland, where bargaining takes place predominantly at the company level, coverage 'tends to go hand in hand with trade union membership since having a trade union or worker representation in the workplace is a necessary condition to be able to negotiate a collective agreement'.¹⁰ Similarly, Doherty says, 'Worker representatives [in Ireland] must rely on

conditions of employment for the public service as a whole, does not in any way contradict or dilute the basic right of association guaranteed to all workers by virtue of Convention No. 87.'

⁷ Müller and Schulten (2024), p.76

⁸ Müller and Schulten (2024), Table 1, p.75. Countries that frequently use extension mechanisms include France, Belgium, Finland, Spain, Slovenia, Portugal and the Netherlands

⁹ Doherty (2016), p.14

¹⁰ OECD (2019), p.74



industrial relations ‘muscle’ (not on any legal or state-mandated rights) to achieve their aims,¹¹ and trade unions ‘rely, for power and influence, on membership and density levels’.¹²

➤ **Provide State Support for Trade Union Membership Ensure Unions Can Be Representative:**

France is regularly cited as a country that, despite declining density (down from approximately 23% in the 1970s to 11% in 2016) has been able to maintain very high coverage (98% in 2018) through the use of extension mechanisms for sectoral agreements but the fall in density in France has been attributed to the use of extension mechanisms, as they enable non-union workers to ‘free ride’ on the collective bargaining efforts of trade unions.¹³ A continuing decline in density in Ireland would not only undermine the legitimacy of trade unions, including as a social partner, but also with respect to the requirements to be ‘substantially representative’ (e.g. in order to register an REA and an SEO).¹⁴

The Council’s Recommendation urges Member States to take actions ‘encouraging and, where appropriate, supporting social partners to put forward initiatives and develop new and innovative approaches and strategies to *increase their representativeness and membership bases*’.¹⁵

If current legislation requires unions to be ‘substantially representative’ for REAs (and for SEOs), it is incumbent on Government to promote trade union membership.

In the first instance, this entails addressing the issue of trade unions’ access to workplaces and workers, or more correctly of workers to access trade unions.

➤ **Introduce a right for trade unions to access workplaces and workers:**

The European Commission services have clarified that although Article 4(1) does not explicitly mention a right of access, ‘facilitating the access for trade unions to workers can be a measure a Member State may take to protect and promote collective bargaining on wage-setting. Recital 24 acknowledges that measures promoting collective bargaining on wage-setting might include, among others, measures ‘easing the access of trade union representatives to workers.

¹¹ Doherty (2024), p.213

¹² Doherty (2024), p.214

¹³ Eustace (2021), p.33

¹⁴ Doherty (2016), pages 22 & 23.

¹⁵ Recommendation 10(d). The Recommendation also recognises this challenge in respect of specific EU initiatives, saying that the representativeness and the capacity of the national social partners [also] needs to be strengthened with a view to the implementation at national level of Union level autonomous social partner agreements (paragraph 21).



As noted above, measures *facilitating* and easing access of trade unions to workers obviously implies the existence of such a right in the first place. This is not the case in Ireland however.

The International Labour Organisation (ILO)'s IRLEX legal database of industrial relations in 15 EU Member States including Ireland identifies no legal arrangements in Ireland concerning workers' and trade unions' access to 'all workplaces in the undertaking to carry out their functions'.¹⁶ By contrast, IRLEX identifies nine other Member States where such legislation is in place.¹⁷

Since the 'direct contact of union representatives with workers at their workplace is the most effective way to recruit new and retain existing members, *providing unions with the right of access to companies* and more effective penalties against union-busting activities are important measures to strengthen collective bargaining'.¹⁸ Access to the workplace (both physical and digital) for workplace and union representatives is crucial to reach workers and seek to recruit them into trade unions, should they wish join. Legal rights (i.e. primary legislation) are necessary for workplace representatives to carry out their duties and functions. Such rights must include the right to access new hires. The issue of access to the workplace is an important element of the organisation of workers into trade unions. As one of the purposes of the Directive is to promote collective bargaining and to increase collective bargaining coverage this must be addressed. In some EU countries workplace representatives and unions have a statutory right to access the workplace, in others it is by agreement. Again, in Ireland the imbalance towards the employer in this instance is stark and requires some rebalance. The issue of union organisation must no longer be subject to the veto on an employer. Of course, there must be a level of conditionality and criteria around such a statutory right, but such a right should be enshrined in law.

- **The Final Report of the LEEF High Level Working Group did acknowledge, under the heading of *Measures to improve the functioning of collective bargaining at enterprise level*, that 'easing the access of trade union representatives to workers' was one of the 'aspects of the [then] proposed Directive, which the Group did not address'.¹⁹**



As most of the provisions of Article 4(1) were inspired by the four ILO Conventions referenced in Recital 24, decisions of the ILO's Committee on Freedom of Association²⁰ concerning access to the

¹⁶ IRLEX, 3.3.4. IRLEX provides information on industrial relations legal arrangements in 14 EU Member States – Belgium, Bulgaria, Denmark, Finland, France, Hungary, Ireland, Italy, Latvia, Poland, Romania, Slovakia, Spain, Sweden, as well as the UK. The information on Ireland was last updated in 2016.

¹⁷ IRLEX identifies measures protecting the right to access in Belgium, Bulgaria, Denmark, Finland, Hungary, Italy, Slovakia, Spain and Sweden. In many of these, protection applies only in respect of trade union representatives.

¹⁸ Müller and Schulten (2024), p.78

¹⁹ Final Report of the LEEF High Level Group, p.8

²⁰ ILO (2018), *Compilation of decisions of the Committee on Freedom of Association*, sixth edition



workplace should be incorporated into primary legislation enshrining the right of trade unions to access workers, in particular paragraphs 1589²¹, 1591²², 1592²³, 1593²⁴, 1594²⁵ of its most recent Compilation of Decisions.²⁶

Legislation should also incorporate relevant obligations under the European Social Charter (also cited in Recital 24). The Council of Europe's Committee of Social Rights has found that 'union leaders must have the right to access the workplace and union members must be able to hold meetings there, within limits linked to the interests of the employer and business needs'²⁷ and that 'basic trade union prerogatives' encompasses the 'right of access to the working place.'²⁸ Induction opportunities for workplace representatives is essential in order that all new recruits to a given firm can consider joining a union and therefore, increasing collective bargaining and collective bargaining coverage.

The Council Recommendation also recognises capacity building as 'primarily a *bottom-up* process' that is dependent on the efforts of the social partners themselves who are *best placed to identify their needs*.²⁹ In this regard, in the 2024 *Friedrich Ebert Stiftung* survey of Irish trade union officials, 94% said that allowing physical access to the workplace facilitated trade union organising, bargaining and representation, with 75% identifying the right to enter workplaces to meet workers/members and 67% the provision of better facilities to carry out their functions in the workplace as measures supporting ease of access/the right to access trade unions at work.³⁰

➤ **The Government must introduce a right of trade unions to access workplaces and workers.**

²¹ 'The Committee has drawn the attention of governments to the principle that workers representatives should enjoy such facilities as may be necessary for the proper exercise of their functions, including access to workplaces' (1589).

²² 'Workers' representatives should be granted access to all workplaces in the undertaking where such access is necessary to enable them to carry out their representation function' (1591).

²³ 'The Committee considers that, when a meeting with trade union members is held, their union representatives should be granted access to the workplace to participate in such a meeting so as to enable them to carry out their representation function' (1592)

²⁴ 'Trade union representatives who are not employed in the undertaking but whose trade union has members employed therein should be granted access to the undertaking. The granting of such facilities should not impair the efficient operation of the undertaking concerned.' (1593)

²⁵ 'For the right to organize to be meaningful, the relevant workers organizations should be able to further and defend the interests of their members, by enjoying such facilities as may be necessary for the proper exercise of their functions as workers representatives, including access to the workplace of trade union members' (1594).

²⁶ ILO (2018) *Freedom of Association – Compilation of Decisions of the Committee on Freedom of Association*, Sixth Edition

²⁷ Council of Europe (2022) Digest of the case law of the European Committee of Social Rights, p.82

²⁸ Council of Europe (2022), p.83

²⁹ Council Recommendation, paragraph 18

³⁰ O'Sullivan and Murphy, (July 2024), *Trade Union Access to Workers – Barriers faced by representatives in Ireland within a comparative European context*, p.?. Approximately 293 officials were sent the questionnaire and 179 responses were received, representing a response rate of 61%.



Provide Appropriate Facilities for Trade Union Activity in the Workplace

Alongside facilitating and easing unions access to workers, it is also necessary to ensure through legislation the provision of appropriate facilities for trade unions. This should give effect to relevant decisions of the ILO's Committee on Freedom of Association concerning the provision of appropriate facilities, in particular paragraph 1600³¹ as well as nos. 1589, 1593, and 1594 (cited above) of its most recent Compilation of Decisions of the Committee on the Freedom of Association. Trade union member and representatives should have the right to appropriate paid time off to attend union training and meetings, and reduced targets regarding workloads.

➤ Reinstatement Tax Relief for Trade Union Subscriptions:

The Department of Finance's argument against the reinstatement of tax relief for trade union subscriptions previously in place between 2001 and 2011 is that it would have 'no justifiable policy rationale and does not express a defined policy objective.'³²

As Ireland is now obliged to transpose and implement this Directive that sets down a clear obligation to promote collective bargaining, **a scheme similar but more extensive to the one in place between 2001 and 2011 should be re-instated.**

The OECD points out that several countries including Norway, Sweden, and Finland, use fiscal incentives to promote trade union membership and that an increase in the 'generosity' of the tax relief in Norway in 2021 was 'important for slowing the decline in trade union density'.³³ Eustace cites Danish research showing that restricting the size of the Danish tax deduction for trade union fees in 2010, encouraged workers to switch to unions with lower membership fees and that focused mostly on providing individual advice services rather than engaging in collective bargaining, leading to fears that the shift in membership patterns could, over time, undermine collective bargaining coverage.³⁴ The state needs to make union subscriptions tax efficient in line with the treatment of subscriptions for membership of employers organisations. Trade union members should be treated no less favourably than employers, and such a measure would facilitate more workers choosing to join a union and be a useful capacity building measure.

At the same time, the Department of Finance's rationale for treating subscriptions to employers' organisations as a deductible expense is essentially that it 'beneficial to the trade'.³⁵ If this were the

³¹ 'Workers representatives should enjoy such facilities as may be necessary for the proper exercise of their functions, including the use of email.' (1600)

³² Department of Finance (2015), *Report on Tax Expenditures* (October 2015), p.75.

³³ OECD (2019), p.128.

³⁴ Eustace, Alan (2021), *Collective Benefit: Harnessing the power of representation for economic and social progress*, p.31

³⁵ Department of Finance (2020) *Update on Review of Tax Treatment of Trade Union Subscriptions - Income Tax* | TSG 20/02, p.32



case, then many more of the almost 400,000 enterprises in Ireland would be members of such organisations.³⁶ The generosity of the tax relief for subscriptions to employers' organisations should also be conditional on the promotion of collective bargaining.

➤ **Make Work Permits Conditional on Collective Agreements:**

Recital 16 attributes the erosion in traditional collective bargaining structures over recent decades to, inter alia, the decline in trade union membership as a consequence of the increase in precarious and non-standing forms of work. The European Commission services have said that legislative measures to curb precarious and non-standard forms of work could be appropriate for promoting collective bargaining, given their negative impact on trade union membership.

The 2018 Inter-Departmental Review of Economic Migration Policy acknowledged that migrant workers 'are often a more vulnerable class of people, particularly in the lower skilled end of the labour market' and, for a number of reasons, are at increased risk of abuse by 'unscrupulous employers'.³⁷ ESRI research has also found that over 2011-2018, non-Irish national earned on average 22 per cent less per hour than Irish nationals, with non-Irish women experiencing a double-earnings penalty, earning 30 per cent less than Irish men. The ESRI pointed out that trade union membership often affords workers a greater degree of job security, better working conditions and higher wages than their non-unionised counterparts but notes however that Irish nationals (33 percent) are nearly three times more likely to be members of a union than non-Irish nationals (13 percent).³⁸ It says that trade unions 'may need to make greater efforts to raise awareness of their activities among migrants' and, in addition, 'employers may need to facilitate recognition' to ensure all workers have the option of being represented.'³⁹

One way of promoting collective bargaining among migrant workers would be to **make work permits conditional on collective agreements**. This would be similar to the approach taken in the early years sector where the allocation of additional funding was conditional on employers agreeing an ERO with trade unions (see above). Such conditionality would replicate the approach taken in other Member States; for example, in Sweden, in order to be eligible as an employer of a labour migrant, the wages paid must be 'in line with or generally correspond to the level of collective agreements'.⁴⁰

³⁶ The structural business economy had almost 389,700 active enterprises in 2022. CSO (19 August 2024), *Business in Ireland – Summary Results*.

³⁷ Inter-Departmental Group (2018), Review of Economic Migration Policy, Principle 6.

³⁸ Laurence et al (2023), p.49

³⁹ Laurence et al (2023), p.89

⁴⁰ Herzfeld Olsson Petra and Sosted Hemme, Mette, in Ratti et al (2024), *Chapter 35, Scandinavian States*, p.518.



➤ **Consider Introduction of Chamber System:**

Under Austria's 'Chamber system' almost all companies must join the 'Chamber of the Economy'.⁴¹ This concludes collective agreements and, in doing so, guarantees almost 100% collective bargaining coverage. Slovenia had a similar system until the mid-2000 and its abolition resulted in a significant decline in coverage. While a Chamber-type system would obviously be a very significant undertaking in Ireland, it should be considered, particularly at a sectoral level to provide a negotiating partner for unions with the aim of progressively increasing coverage. This would also contribute to implementation of the Council Recommendation, which emphasises strengthening the representativeness of the national social partners, i.e. trade unions *and* employers' organisations.

➤ **Provide Adequate Resources to the WRC Conciliation Service:**

Finally, more targeted and specialist resources should be given to the WRC Conciliation service in anticipation of an increased level of activity in collective bargaining, in particular at sectoral or cross-industry level.

➤ **In Conclusion:**

The EU's current consensus in favour of collective bargaining reflects in part a broad re-assessment of collective bargaining that has taken place within international institutions over the past decade or so. Institutions such as the World Bank, the IMF and the OECD have increasingly acknowledged the positive impacts of both higher levels of trade union membership and of collective bargaining coverage over the past decade.⁴² The World Bank has acknowledged the role unions and collective bargaining play in equalising earnings distributions noting that wage inequality rises when union membership is in decline and falls when it is rising.⁴³ The IMF acknowledges that the decline in unionisation is related to the rise of top income shares and less redistribution, with increasing inequality dampening 'investment, and hence growth, by fuelling economic, financial, and political instability.'⁴⁴ The OECD acknowledges that collective bargaining systems can help smooth the transition to an increasingly complex labour market but that making the most of collective bargaining in the future world of work will require governmental intervention, 'notably to lift the legal barriers to collective bargaining'.⁴⁵

⁴¹ Müller and Schulten (2024), p.76

⁴² See McDonnell, Tom (2024), *Economic Security Series. Part 3: Collective Bargaining*. Dublin: NERI

⁴³ Gordon Betcherman, (2012), The World Bank, *Background Paper to the 2013 World Development Report*.

⁴⁴ Dabla-Norris, E., Kochhar, K., Suphaphiphat, N., Ricka, F. and Tsounta, E. (2015), *Causes and Consequences of Income Inequality: A Global Perspective* IMF: Washington, p.4

⁴⁵ OECD (2019), *Negotiating Our Way Up: Collective Bargaining in a Changing World of Work*, p.19



In addition, in a time as the Programme for Government says, when ‘democracy is under threat globally from increasing extremism as well as the spread of misinformation and disinformation’, Ireland’s long democratic traditions cannot be taken for granted,⁴⁶ it is important to realise that collective bargaining not only alleviates the democratic deficit an individual worker faces from the imbalance in power in the employment relationship but enabling workers to take part in ‘self-government’ to a degree has important spill-over effects for wider society; union members are more politically active than non-members have positive attitudes towards democracy.⁴⁷

Initiatives are already underway in Britain and in Northern Ireland to promote collective bargaining. For example, the British Government’s Employment Rights Bill 2024-25, introduced on 10 October 2024, includes provisions, inter alia, concerning trade union access and recognition, facilities and time off for trade union activities and duties, to protect trade union members from discrimination, protecting workers taking industrial action, and promoting sectoral collective bargaining in Britain.⁴⁸ Similarly, measures to promote collective bargaining are also being considered in Northern Ireland, where employment law is a devolved matter, in the context of a planned Good Jobs Bill. If advancing equality and inclusion is a whole of Government issue, as the new Programme for Government says,⁴⁹ it is obvious there will have to be more collective bargaining in Ireland. This means moving away from the current approach whereby the State’s role is ‘largely confined to facilitating the collective bargaining process through establishing by legislation, institutions to assist in the resolution of disputes between employers and workers’⁵⁰ to one where the State *actively promotes* collective bargaining. The state must take an ‘all-of-government’ approach to the promotion of collective bargaining, by all departments and state agencies, which does not happen at present.⁵¹ Such a new approach in respect to collective bargaining would contribute to achieving the Programme for Government’s commitment to implement a ‘Whole-of-Government Strategy’ to fully integrate the SDGs into national policies and initiatives, ensuring that each goal [including SDG 8] is actively pursued across all levels of government.⁵²

There should also be a comprehensive social media and traditional media campaign developed by the state in consultation with the social partners with a view to promoting and encouraging more

⁴⁶ Government of Ireland (2025), Programme for Government – *Securing Our Future*, (Introduction)

⁴⁷ O’Sullivan and Murphy (2024), p.3

⁴⁸ House of Commons Library Research Briefing (23 October 2024), Employment Rights Bills 2024-25

⁴⁹ Government of Ireland (2025), *Programme for Government – Securing Our Future*, p.97

⁵⁰ Ireland’s Statement on La Hulpe Declaration (14 June 2024)

⁵¹ To give just one example, Fáilte Ireland has been running an ‘Employer Excellence Programme’ for some years. This provides a ‘quality assurance mark’ to participating employers to help the tourism sector tackle ‘one of its biggest challenges’ – staff retention – by supporting business in ‘attracting and supporting great people’ (Annual Report 2023: 16). However, the Oireachtas Joint Committee on Tourism, Culture, Arts, Sport and Media’s November 2022 report ‘Working Conditions and Skills Shortages in Ireland’s Tourism and Hospitality Sector’ recommended that Fáilte Ireland enhance the programme to ‘encourage employers to grant uninhibited access to trade unions’ and to coordinate a publicity campaign to highlight such initiatives.⁵¹ This has not been done. Furthermore, in May 2023, the Government approved Fáilte Ireland as a ‘Sustainable Development Goal Champion’. This presumably covers implementation of SDG 8, which commits to protect labour rights for all workers, particularly women, migrants and those in precarious employment (Target 8.8). No action appears to have been taken on this however. Fáilte Ireland’s says the ‘perceptions’ of employees ‘impacted’ by the Employer Excellence Programme are ‘changing for the better’ (Annual Report 2023:16).

⁵² Programme for Government (2025), p.51



collective bargaining. There should be specific KPIs set whereby we can review the level of progress by tracking the increased level of awareness of the benefits of collective bargaining amongst workers and employers alike.

ICTU sees this Directive as the most significant and progressive to emerge from the European Union in a generation and, if transposed and implemented as intended, to be potentially transformative and enormously beneficial for industrial relations in Ireland. We very much agree with the former chair of the High-Level Working Group that: 'What the Directive is very clear in emphasising, however, is that Member States are not in a position to equivocate. The obligations in Article 4 are clear: Member States *shall* promote collective bargaining. For Member States like Ireland (and others) where the State has traditionally been (at best) a passive observer, change must come.'⁵³

Finally, the Meath Council of Trade Unions is keen to receive feedback from Government on development in achieving the necessary changes in Ireland for Collective Bargaining to be introduced in 2025.

John Regan Moira Leydon Kay Kearns

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⁵³ Doherty (2024), p.224