

# Draft checklist proposed in support to Member States

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### 1. Nature of the exercise

The Council Recommendation C/2023/1389 of 12 June 2023 on strengthening social dialogue in the European Union has invited Member States to a reporting exercise on its implementation:

*(11) submit to the Commission by 7 December 2025 a **list of measures**, drawn up in consultation with social partners, which are taken or have already been taken in each Member State to implement this Recommendation. When that information is already submitted to the Commission under other reporting mechanisms, Member States can refer to those reports when compiling the list.*

Moreover, the Recommendation also invites the Employment Committee (EMCO) to monitor regularly its implementation:

*(14) monitor regularly, **as part of the multilateral surveillance activities in the context of the European Semester**, the implementation of this Recommendation jointly with relevant social partners at national and Union level, where such monitoring would allow social partners to, among other things, identify situations where they have been excluded or inadequately involved in national level consultations on Union and national policy.*

In line with the EMCO Work Programme 2025 and in application of the Recommendation's provisions mentioned above, this checklist is devised as a flexible tool to facilitate the work of the Member States' in drafting the list of measures provided for in paragraph (11) of the Recommendation, as well as the work of the Committee in monitoring its implementation as provided in paragraph (14). The list of measures and the monitoring activities by EMCO with the support of the Commission will also feed into the evaluation of the actions taken in response to the Recommendation, to be conducted by the Commission in cooperation with Member States, social partners in 2029 (paragraph (15) of the Recommendation<sup>1</sup>).

### 2. Guidance on the use of the present checklist

The Checklist below is directly based on the text of the Recommendation. For each paragraph of the Recommendation:

- Member States are invited to describe the implementing measures in place or envisaged, as well as their status (e.g. implemented, planned);

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<sup>1</sup> The Recommendation invites the Commission to evaluate, in cooperation with Member States, social partners and after consulting other relevant stakeholders, the actions taken in response to this Recommendation, and report to the Council by 7 December 2029.

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- Member States are also encouraged to share specific good practices are to use this exercise to do so. The collected good practices could be then shared in the context of the EMCO Social Dialogue Review.

According to the above-mentioned provision (11) of the Recommendation, Member States, where relevant, can refer to information already submitted to the Commission under other reporting mechanisms. In this case, they are invited to share the corresponding documents or link. In drafting the list of measures, the Member States can also refer to **existing data sources**. An indicative list of such sources is included at the end of the present document (section: supportive information).

Finally, at the end of the table below, two transversal questions are asked to Member States on the modalities of the consultations held with social partners in the preparation of this submission, and on the use of the possibility to entrust social partners with the implementation of (parts of) the Recommendation.

You are invited to submit your response (1 coordinated response per Member State), making use of the present checklist, **by 7 December 2025 to [EMPL-EMCO@ec.europa.eu](mailto:EMPL-EMCO@ec.europa.eu)**.

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### 3. The checklist

Respondent details

National contact point (name, job title, ministry/organization)	Ninitha Balzon, Assistant Principal, Department of Enterprise, Tourism and Employment
Date of self-assessment:	12 December 2025
E-mail in case of queries:	<a href="mailto:ninitha.balzon@enterprise.gov.ie">ninitha.balzon@enterprise.gov.ie</a>

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<p style="text-align: center;"><b>Action points</b>  <b>[corresponding provision(s) of the Council Recommendation]</b></p>	<p style="text-align: center;"><b>Status</b></p> <p style="text-align: center;">In place/New/Planned</p>	<p><b>What key measures are in place and which measures, if any, do you intend to adopt or implement in the future?</b></p> <p>Please describe the relevant main policy measures.            Please provide sources (e.g. legislation, reports, documents) and the entities/organisations holding the information (e.g. ministries/social partners/regional/local authorities), and contacts where possible.<sup>2</sup> Where relevant, please indicate the current status (implemented/planned)</p>
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<sup>2</sup> As mentioned in the Guidance: If no information can be reported on a certain element (under the action points in the leftmost column), please state the reason and, if possible, sources where the information may be held (e.g. local level, stakeholders) to facilitate future exercises and research.

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<p><b>1</b> An enabling environment for bipartite and tripartite social dialogue, including collective bargaining, in the public and private sectors.  <b>(paragraph 1, (a) – (g))</b>  <i>*Paragraph 1 (g): see explanation on the notion of ‘institutional support’ in the Supporting Information section at the end of this document</i></p>	<p>In place,          Planned</p>	<p><i>(a) respects the fundamental rights of freedom of association and of collective bargaining;</i>          The Irish collective bargaining system is underpinned by a voluntary system, premised upon freedom of contract and freedom of association.</p> <p><i>(b) promotes strong, independent trade unions and employers' organisations for the purpose of fostering meaningful social dialogue;</i>          Ireland's voluntary framework includes statutory provisions designed to facilitate and assist the voluntary bargaining process, including the provision of independent services of the <a href="#">Workplace Relations Commission (WRC)</a> and of the <a href="#">Labour Court</a>. The role of these institutions is largely supportive, creating mechanisms to assist with dispute resolution and embodies a minimal interference model.</p> <p><i>(c) includes measures to strengthen the capacity of trade unions and employers' organisations;</i>  <a href="#">Ireland's Action Plan to Promote Collective Bargaining</a>, developed in consultation with social partners, reflects Government commitment to continue to strengthen the industrial relations framework and contains 22 targeted measures to promote collective bargaining and progressively increase the collective bargaining coverage rate, in accordance with Article 4(2) of the Adequate Minimum Wages Directive.</p>
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		<p>(d) <i>ensures access to the relevant information that is necessary to participate in social dialogue;</i> Social partners in Ireland have access to comprehensive and timely information on the overall economic and social situation, as well as sector-specific data and policies, which is essential for meaningful participation in social dialogue and collective bargaining (see 3 below).</p> <p>(e) <i>promotes engagement in social dialogue on the part of all the parties;</i> Ireland has strong models of bipartite (company/sectoral level bargaining) and tripartite dialogue (through various forums such as <a href="#">the Labour Employer Economic Forum (LEEF)</a>). Certain Sectoral Level Agreements, known as <a href="#">Employment Regulation Orders (EROs)</a> are developed through <a href="#">Joint Labour Committees (JLCs)</a>, independent bodies which facilitate employee and employer representatives to agree on employment conditions and minimum rates of pay for particular sectors (see 7 below).</p> <p>(f) <i>adapts to the digital age and promotes collective bargaining in the new world of work and a fair and just transition towards climate neutrality;</i> Ireland remains committed to monitoring EU developments in the digital, green and labour market spheres, maintaining an open approach to</p>
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		<p>equipping social partners with the skills, resources, and the support necessary to adapt to these emerging challenges.</p> <p><i>(g) provides appropriate institutional support for the purpose of fostering meaningful social dialogue</i>  <u><a href="#">Ireland’s Action Plan to Promote Collective Bargaining</a></u>, developed in consultation with social partners, reflects Government commitment to continue to strengthen the industrial relations framework and contains 22 targeted measures to promote collective bargaining and progressively increase the collective bargaining coverage rate, in accordance with Article 4(2) of the Adequate Minimum Wages Directive.</p>

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<p>In particular, how does the enabling environment for social dialogue adapt to the digital age and promote collective bargaining in the new world of work and a fair and just transition towards climate neutrality?  <i>(paragraph 1, (f))</i></p>	<p>Planned</p>	<ul style="list-style-type: none"> <li>• Article 25 of the Platform Work Directive obliges EU Member States, taking into account the diversity of national practices, to promote the role of social partners and encourage the exercise of the right to collective bargaining in platform work. According to EU Commission guidance, this can be achieved through strategies, guidelines, or social partner agreements. In Ireland, the Action Plan to Promote Collective Bargaining 2026–2030, developed in consultation with social partners, aligns with obligations under the EU Directive on Adequate Minimum Wages and will serve as a mechanism for implementing the provisions of Article 25.</li> <li>• In relation to work on a fair and just transition, Ireland has a Just Transition Commission, established in late 2024 as an independent advisory body to the Government. Its purpose is to ensure that the shift to a climate-neutral economy by 2050 is fair, inclusive and ensures fairness across all sectors.</li> <li>• The Just Transition Commissioner held local meetings and sought, among other groups, the input of social partners. In addition, Bord na Mona, the owner of the peatlands and the largest employer in the Midlands, signed two collective agreements that aimed to ensure that the company transitions to sustainable energy sources in a socially responsible manner. (<a href="#">Eurofound, 2023</a>)</li> <li>• In Ireland, the National Economic and Social Council (NESC) has produced several policy studies focusing on the just transition <a href="#">NESC Publications - Just Transition</a> in view of supporting</li> </ul>
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		<p>decarbonisation goals. The studies adopt a broad definition of a just transition, which is considered to be ‘one which seeks to ensure transition is fair, equitable and inclusive in terms of processes and outcomes’ (<a href="#">NESC, 2020a</a>), and draw on evidence available in the grey literature and case studies to develop lessons and recommendations for the just transition in Ireland. They also identify the key elements that contribute to a just transition, which include a participative approach to governance, appropriate social protection for those at risk from transition impacts, supportive arrangements and sectoral measures to enable good-quality jobs, local support for investments in digital and green infrastructures, and evidence-informed policymaking drawing on international experiences and practices (<a href="#">Eurofound, 2023</a>).</p> <ul style="list-style-type: none"> <li>• <a href="#">Ireland’s Action Plan to Promote Collective Bargaining</a> includes measures to invest in the digitalisation and modernisation of industrial relations institutions. This will ensure they are equipped to handle emerging challenges in the world of work. The Action Plan also provides for comprehensive capacity-building programmes to strengthen the skills and resources of social partners, enabling effective engagement in collective bargaining and social dialogue.</li> </ul>
<p><i>Best practice(s) to share</i></p>		<ul style="list-style-type: none"> <li>• Enterprise-level agreements where employers and unions negotiate directly. Industrial Relations Acts and Employment Legislation ensure minimum standards while leaving room for autonomous negotiation.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Joint Labour Committees (JLCs) are statutory bodies that bring together employer and worker representatives in specific sectors where collective bargaining coverage is low. Their role is to negotiate minimum pay and conditions for workers in that sector. Once agreed, these terms are formalised in an Employment Regulation Order (ERO), which is legally binding for all employers and employees in that sector. Currently, there are three active EROs in Ireland: these are in the contract cleaning, early years learning and security sectors which help to ensure minimum standards across sectors where collective bargaining is not well established, and wages tend to be low.</li> <li>• Tripartite dialogue forums including LEEF, NESC, etc (see 2 below).</li> </ul>
<input type="checkbox"/>		

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<p>2 Involve social partners in a systematic, meaningful and timely manner, in the design and implementation of employment and social policies and, where relevant, economic and other public policies, including in the context of the European Semester.  <i>(paragraph 2)</i></p>	<p>In place, Planned</p>	<ul style="list-style-type: none"> <li>• Ireland continues to prioritise constructive tripartite dialogue as a way of maximising common understanding and engagement between all sectors of society as we tackle the many economic, social and environmental challenges facing the country.</li> <li>• The Labour Employer Economic Forum (LEEF) is one such example of social dialogue. The LEEF is made up of representatives from the government, employers and trade unions and provides for tripartite dialogue on economic and employment issues as they affect the labour market. Under the auspices of LEEF, there has been meaningful, systematic, and timely involvement of social partners in the design and implementation of employment and social policies such as the introduction of statutory sick pay, workplace safety during Covid-19. More recently, Ireland’s Action Plan to Promote Collective Bargaining, published in November, demonstrates the continued value of our ongoing engagement under the framework of the LEEF. Subgroups of the LEEF, chaired at Ministerial level, have also been established on a range of issues.</li> <li>• The Irish National Economic and Social Council (NESCC), is an ongoing forum in which social partners, examine and advise Government, on economic, social and environmental policy. In relation to employment and social policy, its work currently includes remote and hybrid working; the potential impact of AI on the labour market and</li> </ul>
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		<p>public service provision; social cohesion; and affordable housing. In 2024, the Council concluded a major report ‘Towards a National Better Work Strategy’ which helped position Better Work as a central goal of enterprise policy, supporting sustainable improvements in productivity, employee engagement and economic performance. In January 2025 the Irish NESC hosted a Roundtable Discussion with the European Semester Group of the European Economic and Social Committee (EESC) on European Semester, national reform and investment proposals and their implementation (2024-2025 European Semester cycle). This provided an opportunity for the Irish social partners, and civil society groups, to outline their views.</p> <ul style="list-style-type: none"><li>• In addition to the LEEF and the NESC, dialogue and engagement takes place through a variety of forums, such as the National Economic Dialogue, the National Civic Forum for dialogue with the community and voluntary sector, the Labour Market Advisory Council, the Just Transition Commission, the National Dialogue on Climate Action, the National Competitiveness and Productivity Council, or through direct engagement between Ministers and their Departments, and social partners. Regular engagements also take place between government officials and a range of stakeholder bodies (both in-person and written communication) in advance of and during the annual budgetary process. The consultation process undertaken by the Workplace Relations Commission (WRC) with the social</li></ul>
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		<p>partners is key in ensuring that the perspectives of both employers and trade unions are taken into account, especially on the drafting of Codes of Practice.</p>

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<p><i>Best practice(s) to share</i></p>		<ul style="list-style-type: none"><li>• Formal consultative bodies and forums such as the Labour Employer Economic Forum, National Economic and Social Council, National Economic Dialogue, the National Civic Forum for dialogue with the community and voluntary sector, the Labour Market Advisory Council, the Just Transition Commission, the National Dialogue on Climate Action, the National Competitiveness and Productivity Council, or through direct engagement between Ministers and their Departments, and social partners including pre-budgetary discussions.</li><li>• The recent work on the Code of Practice on the Right to Request Remote &amp; Flexible Working has been acknowledged by some of the social partners as an example of productive and valuable tripartite work between the social partners and the WRC.</li><li>• According to 2019 Eurofound findings, social partners in Ireland seem satisfied with the conditions under which they are consulted in policymaking. Findings suggest that the main policy areas that social partners have been involved in are labour market participation, labour law and social dialogue, with employer organisations, trade unions and national authorities agreeing that overall social dialogue takes the form of formal consultations. Social partners and national authorities in Ireland have been found to be generally satisfied with the quality of exchange in the course of consultations. <a href="#">Eurofound (2019)</a>.</li></ul>
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<p>3 Social partners have access to relevant information on the overall economic and social situation in their Member State and on the relevant situation and policies for their respective sectors of activity, which is necessary to participate in social dialogue and collective bargaining.  <b>(paragraph 3)</b></p>	<p>In place, Planned</p>	<ul style="list-style-type: none"> <li>• Social partners in Ireland have access to comprehensive and timely information on the overall economic and social situation, as well as sector-specific data and policies, which is essential for meaningful participation in social dialogue and collective bargaining.</li> <li>• Existing data sources include the <a href="#">Labour Force Survey</a>, released by the Central Statistics Office on an annual basis, providing employment data and data on <a href="#">trade union membership by age, gender and sector</a>.</li> <li>• Other sources include:       <ul style="list-style-type: none"> <li>- <a href="#">OECD Economic Surveys: Ireland 2025   OECD Publications   The National Economic and Social Council - Ireland</a> (contains research and thematic studies)</li> <li>- Independent studies carried out by the:           <ul style="list-style-type: none"> <li>a) <a href="#">The Economic and Social Research Institute</a></li> <li>b) <a href="#">The Workplace Relations Commission</a> (WRC) publishes Annual Reports and Reviews that provide a detailed picture of workplace regulation, industrial relations trends, and compliance activity in Ireland.</li> </ul> </li> </ul> </li> <li>• Additional reports published by the Workplace Relations Commission (WRC) and Annual Business Survey of Economic (ABSEI) data provide valuable insights into labour market trends and enterprise performance.</li> <li>• Eurofound publishes a <a href="#">series of papers</a> on the involvement of national social partners in policymaking, including their involvement in elaborating the National Reform Programmes</li> </ul>
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		<p>(NRPs). Eurofound also provides a wide range of data and analysis including on labour market trends, productivity and social dialogue developments that social partners in Ireland can use to understand the overall economic and social situation.</p> <ul style="list-style-type: none"> <li>• <a href="#">Ireland’s Action Plan to Promote Collective Bargaining</a> to address data gaps to inform policy decisions across the industrial relations landscape. A state commissioned study on identifying the coverage and impact of collective bargaining is underway and will be complete in Q1 2026.</li> </ul>
<p><i>In particular, what do the respective measures provide with regard to how and when is this information communicated to the social partners?</i></p>		<ul style="list-style-type: none"> <li>• The above measures ensure that social partners receive information through scheduled and structured channels. For example, the CSO Labour Force Survey and WRC reports are published at regular intervals and made publicly accessible online, while macroeconomic updates such as the Summer Economic Statement are communicated annually.</li> </ul>

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<p><i>Best practice(s) to share</i></p>		<ul style="list-style-type: none"> <li>• Macroeconomic updates e.g. Central Statistics Office</li> <li>• Structured consultation processes between Government and Social Partners</li> <li>• Social Partners also conduct member surveys and economic analysis to inform negotiations.</li> </ul>
<p><b>4</b> Representative employer organisations and trade unions are recognised for the purpose of social dialogue and collective bargaining.  <i>(paragraph 4)</i></p>	<p>In place, Planned</p>	<ul style="list-style-type: none"> <li>• Employers in Ireland are not legally obliged to recognise trade unions for collective bargaining purposes.</li> <li>• In order to be recognised as a trade union, it must be registered and hold a negotiation licence under the <a href="#">Part II, Trade Union Act 1941</a> to lawfully conduct collective bargaining. Certain representative bodies are also recognised as ‘social partners’ for the purposes of social dialogue through the forums referenced in 2 above.</li> </ul>

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<p><i>Where the competent authorities apply procedures for recognition and representativeness with a view for determining the organisations to be granted the right to bargain collectively, how are those determinations made open and transparent? Are there pre-established and objective criteria, and are the criteria and the procedures established in consultation with trade unions and employers' organisations?</i>  <i>(paragraph 4 (a))</i></p>	<p>In place, Planned</p>	<ul style="list-style-type: none"> <li>• The Trade Union Acts define what constitutes a trade union. Any legislative changes to these criteria or procedures are subject to public consultation, ensuring transparency and stakeholder input.</li> <li>• <a href="#">Section 42 of the Industrial Relations Act, 1990</a> permits the Workplace Relations Commission to prepare draft codes of practice, either on its own initiative or at the request of the Minister. Appropriate bodies such as employer/employee and other relevant representative bodies must be consulted in preparing such codes of practice governing behaviour within the industrial relations and employment sphere. While failure to adhere to a Code of Practice does not create a liability, it can be used as an interpretive tool or to influence decisions. One such guidance document is the <a href="#">Code of Practice on the Duties and Responsibilities of Employee Representatives</a>.</li> <li>• <a href="#">Ireland's Action Plan to Promote Collective Bargaining</a> seeks to develop a new Code of Practice on Collective Bargaining.</li> </ul>

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<p><i>What are the measures taken to ensure that the existence of elected worker representatives is not used to undermine the positions of the trade unions or their representatives, where both trade union representatives and elected worker representatives are present in the same undertaking?</i> (paragraph 4 (b))</p>	<p>In place</p>	<ul style="list-style-type: none"> <li>• <a href="#">Code of Practice on the Duties and Responsibilities of Employee Representatives</a>, sets out more generally the protection and facilities which should be afforded them to enable them to carry out their duties in an effective and constructive manner. A list of codes of practice can be accessed <a href="#">here</a>.</li> </ul>
<p><i>What is the distinction between social dialogue structures and processes and dialogue that involves a broader set of stakeholders, such as the civil society?</i> (paragraph 4 (c))</p>	<p>In place</p>	<ul style="list-style-type: none"> <li>• See 2 above for information on formal and semi-formal structures in place for social dialogue.</li> <li>• Civil society is consulted through broader public consultations on legislative changes and/or public strategies. Dialogue and engagement with civil society also takes place through a variety of forums, such as the National Civic Forum for dialogue with the community and voluntary sector and forums such as through the Just Transition Commission, the National Dialogue on Climate Action, the National Competitiveness and Productivity Council, or through direct engagement between Ministers and their Departments, and social partners. Regular engagements also take place between government officials and a range of stakeholder bodies (both in-person and written communication) in advance of and during the annual budgetary process.</li> </ul>

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<p><i>Are there any other actions supporting the social partners' recognition that do not fall under the ones already mentioned under paragraph 4?</i></p>		<p>No</p>
<p><i>Best practice(s) to share</i></p>		<ul style="list-style-type: none"> <li>• Codes of Practice, drafted under <a href="#">Section 42 of the Industrial Relations Act, 1990</a>.</li> </ul>

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<p><b>5</b> Workers, trade union members, and their representatives are protected when exercising their right to collective bargaining against any measure that may be harmful to them or which may have negative impact on their employment. <i>(paragraph 5, first sentence)</i></p>	<p>In place, Planned</p>	<ul style="list-style-type: none"> <li>• Protection for workers, trade union members and associated representatives is embedded in Irish legislation.</li> <li>• The Industrial Relations Act 1990 contains relevant protections for workers, including the right to peaceful picketing (s11) and immunity for certain acts (s12) done by a person in contemplation or furtherance of a trade dispute, subject to some exceptions.</li> <li>• <a href="#">Unfair Dismissals Act, 1977, Section 6(2)a</a> prohibits dismissal for trade union membership or activity. Section 8(2) of the Industrial Relations (Miscellaneous) Provisions Act 2004 states that an employee will not be victimised on account of being or not being a member of a trade union or engaging in any activities on behalf of a trade union. ‘Victimise’ is any act which adversely affects the interests of the employee (not including dismissal). See also 4 above on codes of practice.</li> <li>• <a href="#">Ireland’s Action Plan to promote Collective Bargaining</a> commits to reviewing the legislation on unfair dismissals and to examine additional legal protections or scope of legal protections for trade union representatives.</li> </ul>
<p>Employers and their representatives are protected against any unlawful measures when exercising their right to collective bargaining. <i>(paragraph 5, second sentence)</i></p>		<ul style="list-style-type: none"> <li>• Same as above.</li> </ul>
<p><i>Best practice(s) to share</i></p>		<ul style="list-style-type: none"> <li>• Section 8(2) of the Industrial Relations (Miscellaneous) Provisions Act 2004 states that an employee will not be victimised on account of being</li> </ul>

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		<p>or not being a member of a trade union or engaging in any activities on behalf of a trade union.            ‘Victimise’ is any act which adversely affects the interests of the employee (not including dismissal).</p>
<input type="checkbox"/>		

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<p>6 Trust in and between social partners is fostered, including by promoting mechanisms to resolve labour disputes, without affecting rights of access to adequate administrative and judicial procedures to enforce rights and obligations in law or stemming from collective agreements.  <i>(paragraph 6)</i></p>	<p>In place,</p>	<ul style="list-style-type: none"> <li>• Ireland’s industrial relations system is rooted in a voluntarist framework, which emphasises on negotiation and agreement between employers and trade unions without compulsory state intervention. This approach fosters mutual trust and constructive dialogue among social partners and allows them to shape outcomes in a collaborative manner.</li> <li>• The state plays a facilitative role, primarily through the institutions such as the Workplace Relations Commission (WRC) and the Labour Court, which provide impartial conciliation, <a href="#">mediation</a>, and adjudication services when disputes arise. These mechanisms ensure that conflicts can be resolved efficiently while preserving the right of all parties to access administrative and judicial procedures for enforcing legal rights and obligations.</li> <li>• Although collective agreements in Ireland are generally not legally binding, their terms can be incorporated into individual employment contracts either expressly or, in appropriate circumstances, by implication. This gives employees the benefit of collectively negotiated conditions while maintaining contractual enforceability.</li> <li>• The terms of Employment Regulation Orders, Registered Employment Agreement and Sectoral Employment Orders are legally binding by law.</li> </ul>
<p><i>How are the relevant procedures established by the social partners taken into account for this purpose?</i></p>	<p>In place</p>	<ul style="list-style-type: none"> <li>• <b>Collective Agreements:</b> Often include procedural rules for negotiations and conflict resolution, which the WRC and Labour Court expect parties to exhaust before escalating disputes.</li> </ul>

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		<ul style="list-style-type: none"> <li>• <b>Codes of Practice:</b> Developed in consultation with social partners (e.g., on voluntary dispute resolution, grievance procedures), see 4 above on codes of practice.</li> </ul>

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<p><i>Are there conciliation, mediation or arbitration procedures used with a view to facilitating negotiations and improving the application of collective agreements? Do both parties need to agree on their use? (paragraph 6 (a)).</i></p>	<p>In place</p>	<ul style="list-style-type: none"> <li>• Conciliation is a voluntary, informal, and non-legalistic process. It is designed to help employers and employees resolve industrial relations disputes when direct negotiations have failed.</li> <li>• In the event of a dispute not being resolved at Conciliation at the WRC the matter may be referred, by agreement of all parties, to a full hearing of the Labour Court for determination. The Labour Court acts as a tribunal of last resort. Before reaching the Labour Court, parties are generally required to have used direct negotiations and the WRC.</li> <li>• The current Public Services Agreement, which covers pay increases, local bargaining and commitments around modernisation and reform, sets out that the parties can refer disputes by either side to the WRC and if necessary to the Labour Court.</li> <li>• Mediation is available at the WRC but not at the Labour Court. Under the Industrial Relations Acts, certain agreements can be registered with the Labour Court ie Registered Employment Agreements.</li> </ul>

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<p><i>Is there a mediation function which can be activated in case of conflict between trade unions and employers' organisations? Please provide details where applicable. (paragraph 6 (b))</i></p>	<p>In place</p>	<ul style="list-style-type: none"> <li>• Mediation is available at the WRC but not at the Labour Court. In 2024, the WRC pre-adjudication mediation service delivered a total of 894 mediations in 2024, which is a 14% increase compared to 2023. Mediation is a free service available to all members of the public.</li> </ul>
<p><i>Are there any other actions fostering trust in and between social partners that do not fall under the ones already mentioned under paragraph 6?</i></p>	<p>Planned</p>	<ul style="list-style-type: none"> <li>• Many of the planned initiatives contained in <a href="#">Ireland's Action Plan on Collective Bargaining</a> will involve detailed consultations with social partners, ensuring openness and co-ownership of actions items.</li> </ul>
<p><i>Best practice(s) to share</i></p>		<ul style="list-style-type: none"> <li>• Codes of Practice</li> <li>• Public, free Mediation and Conciliation Services available to all.</li> </ul>

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<p>7 At which levels is collective bargaining possible in the Member State? If not all levels are possible, are there plans to enable collective bargaining at those levels?          How is coordination is encouraged between and across collective bargaining levels.  <i>(paragraph 7)</i></p>	<p>In place, planned</p>	<ul style="list-style-type: none"> <li>• Collective bargaining in Ireland takes place at all levels but primarily occurs at enterprise/company level in the private sector. Within the public sector, sector-specific negotiations occur for areas like health, education, and local government. Local bargaining is also permitted under national agreements for certain conditions, reforms, or allowances. For example, the 2024–2026 Public Sector Pay Agreement includes a local bargaining clause for specific workplace issues.</li> <li>• Sectoral bargaining exists, mainly through the operation of Joint Labour Committees (JLCs), which are independent bodies made up of equal numbers of employer and worker representatives. JLCs are responsible for drafting Employment Regulation Orders (EROs), setting out the employment conditions and minimum rates of pay for the sector they represent. There are currently three EROs in force in the 1) contract cleaning, 2) early years learning and 3) security sectors. Separately, a Sectoral Employment Order (SEO) covering rates of pay, sick pay, and pensions in the construction sector has also been signed into legislation. SEOs are made following a formal submission to the Labour Court, in accordance with the principles set out in Chapter 3 of the <a href="#">Industrial Relations (Amendment) Act 2015</a>.</li> <li>• On the other hand, Registered Employment Agreements are collective agreements negotiated between employers (or employer bodies) and trade unions that, once registered with the Labour Court, become legally binding on all employers and workers in the specific sector/amongst the group of</li> </ul>
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		<p>employees specified. Any breaches of REAs can be referred to the WRC or Labour Court for enforcement.</p>

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	Planned	<ul style="list-style-type: none"> <li>To ensure greater co-ordination between collective bargaining at different levels, create a more level playing field for negotiations and enable higher levels of collective bargaining at different levels, Ireland’s <a href="#">Action Plan to Promote Collective Bargaining</a> (2026–2030) contains ambitious measures to create a competitive funding scheme for productivity agreements, improve awareness raising on collective bargaining as well as assessing the role of the <a href="#">ERO/SEO</a> and JLC systems.</li> </ul> <p>Sources:  <a href="#">Part IV of the Industrial Relations Act, 1946</a> (establishment of Joint Labour Committees)  <a href="#">Employment Regulation Orders - Workplace Relations Commission</a>  <a href="#">Industrial Relations (Amendment) Act 2012</a> (Part on EROs)  <a href="#">Sectoral Employment Orders - Workplace Relations Commission</a></p>
<i>Best practice(s) to share</i>		<ul style="list-style-type: none"> <li>EROs, SEOs, REAs, JLCs.</li> </ul>
<p><b>8</b> Promote a higher level of collective bargaining coverage and enable effective collective bargaining.  <i>(paragraph 8)</i></p>	Planned	<ul style="list-style-type: none"> <li>Ireland’s <a href="#">Action Plan to Promote Collective Bargaining</a>, developed in consultation with social partners, contain 22 targeted actions across five key pillars to improve collective bargaining coverage.</li> </ul>

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		<ol style="list-style-type: none"> <li>1) Understanding the impacts of collective bargaining through enhanced research and data collection.</li> <li>2) Empowering and Encouraging participation via capacity-building programmes and recognition initiatives.</li> <li>3) Promoting awareness and best practices without legislative overreach.</li> <li>4) Protecting the rights of workers and trade union representatives through legal reviews and safeguards.</li> <li>5) Supporting the Workplace Relations Commission and Labour Court with digital innovation and institutional strengthening.</li> </ol>

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<p><i>What is the current collective bargaining coverage rate? When was the current figure last updated, and when will the next update be available?</i>  <i>*Note that the report made in the context of Article (10) (2) (a) of Directive 2022/2041 on adequate minimum wage can be used to answer this question.</i></p>	<p>In place</p>	<ul style="list-style-type: none"> <li>• 34%, as per the most recent OECD data available for Ireland i.e. data from 2017 (<a href="#">OECD/AIAS ICTWSS database   OECD</a>).</li> <li>• As per the OECD data (<a href="#">OECD/AIAS ICTWSS database   OECD</a>), the most up to date data which is available for Ireland is 2017.</li> <li>• A national study is currently underway to assess, among other factors, the current levels of collective bargaining coverage in Ireland at both sectoral and enterprise levels. This study will be completed in Q1 2026.</li> </ul>

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<p><i>Are there still any legal or institutional barriers to social dialogue covering new forms of work, and/or were such barriers removed?</i></p> <p><i>For example, do workers in atypical employment or self-employed workers have the same access to collective bargaining as workers in standard employment?</i></p> <p><i>(paragraph 8 (a))</i></p>	<p>Planned</p>	<ul style="list-style-type: none"> <li>Article 25 of the Platform Work Directive obliges EU Member States to promote the role of social partners and encourage collective bargaining in platform work. According to EU Commission guidance, this can be achieved through strategies, guidelines, or social partner agreements. In Ireland, the recently published Action Plan to Promote Collective Bargaining 2026–2030, developed in consultation with social partners, aligns with obligations under the EU Directive on Adequate Minimum Wages and will serve as a mechanism for implementing the provisions of Article 25. In addition, Ireland’s voluntarist framework permits collective bargaining between employers and trade unions representing all employees, whether atypical or otherwise.</li> </ul>

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<p><i>How is the freedom of the negotiating parties ensured? (paragraph 8 (b))</i></p>	<p>In place</p>	<ul style="list-style-type: none"> <li>• The Irish Constitution guarantees freedom of association under Article 40.6.1(iii), which allows individuals to form associations and unions. However similarly there is no obligation placed on employers to bargain collectively as Ireland follows a voluntarist system to collective bargaining. Ireland also ratified the Freedom of Association and Protection of the Right to Organise Convention 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention 1949 (No. 98) on 4 June 1955.</li> </ul>

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<p><i>Is there a system of enforcement of collective agreements? How is it established? Does it include, where appropriate, inspections and sanctions?        (paragraph 8 (c))</i></p>	<p>In place</p>	<ul style="list-style-type: none"> <li>• Generally collective agreements are not enforceable unless explicitly incorporated into individual employment contracts or approved under specific legislation. In practice, adherence is strongly encouraged, and parties can refer an industrial dispute to either of the Industrial Relations Institutions, although the recommendations/decisions made by either party has no strict legal effect.</li> <li>• The Workplace Relations Commission (WRC) conducts inspections to enforce employment legislation and imposes sanctions on breaches of employment legislation. However similar systems are not in place for collective agreements due to their non-binding nature.</li> <li>• Registered Employment Agreements are collective agreements negotiated between employers (or employer bodies) and trade unions that, once registered with the Labour Court, become legally binding on all employers and workers in the specific sector/amongst the group of employees specified. Any breaches of REAs can be referred to the WRC or Labour Court for enforcement. <a href="#">Section 7 (1) of the Industrial Relations (Amendment) Act 2015</a> states the Court shall establish and maintain a register of employment agreements. Only a <a href="#">few agreements</a> have been registered in this manner to date.</li> </ul>
<p><i>Are there any other actions promoting a higher level of coverage of collective bargaining, or enabling effective collective bargaining, that do not fall under the ones already mentioned under paragraph 8?</i></p>		<p>No</p>

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<p><i>Best practice(s) to share</i></p>		<ul style="list-style-type: none"> <li>Registered Employment Agreements are a special category of collective agreements that are enforceable on both workers and employers. The operation of REAs is set out in Sections 8 – 12 of the <a href="#">Industrial Relations (Amendment) Act 2015</a>.</li> </ul>
<p><b>9</b> Actively promote the benefits and the added value of social dialogue and collective bargaining. (paragraph 9)</p>	<p>Planned</p>	<ul style="list-style-type: none"> <li>Ireland’s <a href="#">Action Plan to promote collective bargaining</a> contains ambitious measures for capacity building, awareness campaigns, digitalisation of IR institutions and encouraging the incorporation of collective agreements in the public procurement process. A state commissioned study is currently underway to identify the coverage as well as the various impacts of collective bargaining.</li> </ul>

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<p><i>What are the targeted communication measures or other promotion measures implemented/planned?</i></p>	<p>Planned, In place</p>	<ul style="list-style-type: none"> <li>• Ireland’s <a href="#">Action Plan to promote collective bargaining</a> contains ambitious measures for capacity building, awareness campaigns, digitalisation of IR institutions and encouraging the incorporation of collective agreements in the public procurement process.</li> <li>• Registered Employment Agreements are collective agreements negotiated between employers (or employer bodies) and trade unions. Once formally registered with the Labour Court, they become legally binding on all employers and workers in the specific sector/amongst the group of employees specified. These can be viewed online on the <a href="#">Labour Court website</a> but only a few are formally adopted and published in this manner.</li> </ul>
<p><i>How are social partners encouraged to make collective agreements widely accessible (e.g. by use of digital means, public repositories, etc.)?</i></p>	<p>Planned</p>	<ul style="list-style-type: none"> <li>• Digital publication or public repositories linked to collective agreements are not widespread nationally. It is envisaged that the measures contained within the upcoming Action Plan will promote the adoption of modern communication tools, centralised online repositories, and user-friendly platforms that ensure accessibility for all stakeholders.</li> </ul>
<p><i>Best practice(s) to share</i></p>		

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<p><b>1</b> Support national social partners, at their request, to participate effectively in social dialogue, including in collective bargaining and the implementation of Union level autonomous social partner agreements.  <b>0</b> <i>(paragraph 10)</i></p>	<p>Planned</p>	<ul style="list-style-type: none"> <li>• Ireland’s Action Plan contains targeted measures to build capacity, raise awareness and ensure that national legal and policy frameworks remain fit for purpose. The social partners played a pivotal role in the preparation of the Action Plan via a working group established under the auspices of the Labour Employer Economic Forum (LEEF) referenced in 2 above. see 2 on LEEF above.</li> </ul>
<p><i>How are the social partners supported in the implementation of Union level social partners agreements?</i></p>	<p>In place</p>	<ul style="list-style-type: none"> <li>• Ireland maintains tripartite structures like the Labour Employer Economic Forum (LEEF), which provides a platform for government, unions, and employers for dialogue on economic and employment issues.</li> </ul>

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<p><i>Through which of the actions mentioned at paragraph 10, letters (a) to (i) are the social partners supported in the Member State and how? Please provide details.</i></p>	<p>In place, planned</p>	<p>Support for all these measures contained in Ireland’s upcoming Action Plan.</p> <p><i>(a) promoting the building and strengthening of their capacity at all levels, depending on their needs</i>        Action Item 4 in Ireland’s Action Plan contains a commitment to develop capacity-building programmes in 2026 and to be rolled out in 2029.</p> <p><i>(b) using different forms of support, which may include logistical support, training and the provision of legal and technical expertise;</i>        Action Item 4 in Ireland’s Action Plan contains a commitment to develop capacity-building programmes in 2026 and to be rolled out in 2029.</p> <p><i>(c) encouraging joint projects between social partners in various fields of interest, such as the provision of training;</i>        Our Action Plan contains collaborative projects between the Social Partners to quantify and communicate the economic and societal value of collective bargaining as well as to develop public awareness campaigns.</p> <p><i>(d) 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;</i></p>
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		<p>Our Action Plan commits to examining tax options for trade union subscriptions and to promote collective bargaining.</p> <p><i>(e) supporting social partners to adapt their activities to the digital age as well as to explore new activities fit for the future of work, the green and demographic transitions and new labour market conditions;</i> Ireland remains committed to monitoring EU developments in the digital, green and labour market spheres, maintaining an open approach to equipping social partners with the skills, resources, and the support necessary to adapt to these emerging challenges.</p> <p><i>(f) promoting gender equality and equal opportunities for all in terms of representation and thematic priorities;</i> Data from gender pay gap reports can inform negotiations on pay structures and form part of bargaining agendas.</p> <p><i>(g) promoting and facilitating their collaboration with Union level social partners;</i> Action Item 4 in Ireland’s Action Plan contains a commitment to develop capacity-building programmes in 2026 and to be rolled out in 2029. It is envisaged that such programmes can be used to develop social partners expertise at EU-level negotiation and network building with Union level partners.</p>
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		<p><i>(h) providing appropriate support to implement in the Member States social partner agreements concluded at Union level;</i>            Ireland’s collective bargaining system is premised upon freedom of contract and freedom of association. Accordingly, social partners and their members are free to negotiate, at employer level or sectoral level, any social partner agreements concluded at Union level.</p> <p><i>(i) making the best use of national and Union funding, where available, including support under ESF+ and the Technical Support Instrument, and encouraging social partners to use existing national and Union funding;</i>            Ireland will utilise the new European Competitiveness Fund to fund its upcoming capacity-building programmes, as committed in its Action Plan.</p>

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<p style="text-align: center;"><b>Action points</b>  <b>[corresponding provision(s) of the Council Recommendation]</b></p>	<p style="text-align: center;"><b>Status</b>             In place/New/Planned</p>	<p><b>What key measures are in place and which measures, if any, do you intend to adopt or implement in the future?</b>            Please describe the relevant main policy measures.            Please provide sources (e.g. legislation, reports, documents) and the entities/organisations holding the information (e.g. ministries/social partners/regional/local authorities), and contacts where possible.<sup>2</sup> Where relevant, please indicate the current status (implemented/planned)</p>
<p><i>Are there any other actions supporting the social partners that do not fall under the ones already mentioned under paragraph 10?</i></p>		
<p><i>Best practice(s) to share</i></p>		
<p><b>Horizontal questions</b></p>		
<p><b>1</b> How were the social partners involved in drawing up the list of measures referred to under <b>paragraph 11</b> of the Recommendation?</p>	<p>Planned</p>	<ul style="list-style-type: none"> <li>• Social partners were actively consulted prior to and during the preparation of Ireland’s Action Plan to promote collective bargaining. They have been identified as key drivers and/stakeholders of many of the planned actions within the Action Plan.</li> <li>• Social partners play a key role in the tripartite governance arrangements in place in Ireland, and in the governance of the employment relationship, as well as being key actors in industrial relation systems. The Government is firmly committed to a collaborative approach and ongoing consultation with and involvement of the social partners as a pathway to strengthen the legitimacy, effectiveness, and sustainability of the targets of Ireland’s Action Plan.</li> </ul>
<p><i>Best practice(s) to share</i></p>		
<p><input type="checkbox"/></p>		

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<p><b>1</b> Did the Member State entrust the social partners with the implementation of (parts of) the Recommendation?  <b>(paragraph 12)</b></p> <p>If yes, which parts were entrusted to the social partners?            Which measures did the social partners take to implement those provisions?</p>	<p>Planned</p>	<p>See 11 above.</p>

## 1. Supporting information

### Existing sources of information/inspiration:

- [\*OECD/AIAS database on Institutional Characteristics of Trade Unions, Wage Setting, Intervention and Social Pacts \(ICTWSS\)\*](#) – particularly relevant for paragraphs 1, 2, 7, 8.
- *The ILO's Legal Database on Industrial Relations, [ILO IRLex database](#)* – particularly relevant for paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 10 (a) to (d). The IRLex database covers only BE, BG, DK, FI, FR, HU, IE, IT, LV, PL, RO, SK, ES, SE.
- *Eurofound reports on the [involvement of social partners in policy making](#), including [in the European Semester](#)* – particularly relevant for paragraph 2.
- *The [social dialogue texts database](#) of the European Commission* – particularly relevant for paragraph 10 (h).
- *ILC [Resolution](#) on social dialogue and tripartism of 2018*
- *Compilation of decisions of the Committee on the Freedom of Association, ILO*
- *[ILO policy guide on collective bargaining](#)*
- *[National tripartite social dialogue – an ILO guide for improved governance 2013](#)*
- *[ILO Collective Bargaining Flagship Report 2022](#)*
- *[Capacity building for effective social dialogue in the EU, 2020](#)*
- *[Involvement of social partners in the NRRPs](#)*
- *[Involvement of social partners in policy making during Covid-19](#)*
- *[Involvement of social partners in national policy making](#)*

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- Definitions used (quote from the Recommendation):

(1) *‘Social dialogue’ means all types of negotiation, consultation or exchange of information between, or among, representatives of governments, employers and workers, on issues of common interest relating to economic, employment and social policy, that exist as bipartite relations between labour and management, including collective bargaining, or as a tripartite process, with the government as an official party to the dialogue, and can be informal or institutionalised or a combination of the two, taking place at national, regional, local or enterprise level across industries or sectors, or at several of those levels at a time.*

(2) *‘Collective bargaining’ means all negotiations which take place according to national laws and practices in each Member State between an employer, a group of employers or one or more employer organisations, on the one hand, and one or more trade unions, on the other, for determining working conditions and terms of employment.*

(3) *‘Collective agreement’ means a written agreement regarding provisions on working conditions and terms of employment concluded by the social partners having the capacity to bargain on behalf of workers and employers respectively, according to national law and practices, including those that are declared universally applicable.*

(4) *‘Capacity building’ means enhancement of the skills, abilities and powers of the social partners to engage effectively and at different levels in social dialogue.*

- Additional information on appropriate institutional support:

*A basic requirement for an appropriate institutional support is a sound legislative framework for tripartite social dialogue at the national level that provides a solid foundation for a practice, which otherwise would be vulnerable to changing political attitudes.*

- *This should provide the necessary guarantees and protection and should define the forms of cooperation between the social partners, as well as the principles, procedures and functions of tripartite bodies. The framework should also allow social partners to engage with the wider network of stakeholders at national, sectoral and local levels, to become an integral part of the system as a whole and to play an active role in the development of policies.*
- *Institutional frameworks take various forms in different countries – tripartite (and also bipartite) bodies exist at national, sectoral and local levels. In principle these already exist in one way or another in the MS. They can be:*
  - *Economic and Social Councils*

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- *Tripartite Councils – national or by sector*
- *Social Dialogue Committees at various levels: ministerial, sectoral, regional, local*
- *Ad-hoc committees, special task forces a*
- *Parliamentary standing or select committees*
- *Facilitation of meetings between social partners at selected levels, that may also include logistic support*
- *In addition, the institutional framework for social dialogue could foresee: i) support by a strong and efficient labour administration; ii) labour dispute prevention and resolution mechanisms; iii) institutions that facilitate collective bargaining; and iv) institutions that produce statistics and other needed information.*

## 2. Examples of measures to be included in the checklist table

Although many Member States have adopted concrete measures to strengthen social dialogue, including collective bargaining, we refer here to two examples to illustrate the checklist exercise.

a) Example of measure implementing the recommendation's paragraphs 4 and 7:

**Romania – Adoption of law 367/2022 on social dialogue:**

Romania has adopted in 2022 a new legislation on social dialogue (Law 367/2022) revising the definition of the economic sectors as a basis for further sector-level collective agreements. The law, which came into force in 2023, makes it easier for employees in smaller companies to set up trade unions, by reducing the thresholds of numbers of employees from 15 to 10 (or to 20 workers from different units in the same collective bargaining sector). Trade union representativeness criteria at company level were reduced from 50% to 35% of the total number of the company's employees, while at sector level, the representativeness threshold for trade unions was reduced from 7% to 5%. Collective bargaining must now take place both at company level (if there are at least 10 employees) and at sectoral level. In addition, the law creates new obligations for employers to inform and consult employees and trade union representatives, and it extends the range of issues that can trigger collective labour disputes. While still company and sector centred, efforts are put in place to increase collective bargaining coverage despite the lack of national level bargaining. Finally, the law also introduced the possibility for solo self-employed workers to unionise.

*Other paragraphs on which this measure also has impact:*

- Paragraph 1 – Reducing the thresholds for unions' representativeness and facilitating access to information contribute to enhance an enabling environment for bipartite social dialogue.
- Paragraph 8 – The law's purpose includes the enhancement of collective bargaining coverage.
- Paragraph 10 (i) – ESF+ funding has been mobilised to support implementation.

b) Example of measure implementing the recommendation's paragraph 8:

**Denmark – collective bargaining coverage rate and core principles of the Basic Agreement of LO and DA**

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In 2018 (last data available), 82% of employees with a right to bargain were covered by a collective agreement (OECD/AIAS, ICTWSS database: all public sector workers were covered, and 72,7% of employees in the private sectors were). Collective agreements must be mutually enforced, according to the Basic Agreement of LO (Danish Confederation of Trade Unions) and DA (Danish Employers' Confederation). Agreements usually apply to all employees, unionised or not, unless it is explicitly stated that they only applied to certain workers. Most important areas of working life, such as salaries and working conditions, as well as the organisation of current work transformations, are regulated by collective bargaining. Collective bargaining itself is regulated by a basic agreement between the main social partners rather than by law. Every trade union which has an interest in concluding a collective agreement with an employer is entitled to negotiate with the employer on any matter relating to the relationship between the employer and the employees. The employer has an equivalent right to negotiate with the trade union.

### ***Links with other paragraphs on which this measure also has impact:***

- Paragraph 4 – recognition of employer organisations and trade unions for the purpose of social dialogue and collective bargaining.