SEANAD ÉIREANN

AN BILLE UM PÁ ÍOSTA NÁISIÚNTA (AN COIMISIÚN UM PÁ ÍSEAL), 2015
NATIONAL MINIMUM WAGE (LOW PAY COMMISSION) BILL 2015

LEASUITHE COISTE
COMMITTEE AMENDMENTS
SECTION 2

—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.

SECTION 4
2. In page 4, between lines 10 and 11, to insert the following:

“(a) has due regard to Ireland’s human rights obligations to guarantee the right to just and favourable remuneration,”.

—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.

SECTION 5
3. In page 4, between lines 32 and 33, to insert the following:

“(a) median earnings during the relevant period,”.

—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.

4. In page 4, after line 36, to insert the following:

“(i) each sector’s business model and performance,
(ii) innovation in each sector has increased, decreased or remained stagnant within the current period,”.

—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.

5. In page 5, between lines 5 and 6, to insert the following:

“(da) economic inequality and purchasing power parities,
(db) the percentage of workers in the economy earning two-thirds or less of median income,
(dc) the Living Wage as set for the relevant period.”.

—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.
6. In page 5, line 7, after “Ireland” to insert the following:

“; taking into account the standard of living, general wage levels and access to welfare supports to include social protection supports, universal healthcare provisions, state provided childcare and social housing”.

—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.

7. In page 5, to delete line 8 and substitute the following:

“(f) the need for quality job creation,”.

—Senators Katherine Zappone, Jillian van Turnhout.

8. In page 5, line 8, after “creation” to insert “and decent work”.

—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.

9. In page 5, between lines 8 and 9, to insert the following:

“(fa) the cost of living.”.

—Senators Katherine Zappone, Jillian van Turnhout.

10. In page 5, between lines 8 and 9, to insert the following:

“(fa) the promotion of equality and gender equality.”.

—Senators Katherine Zappone, Jillian van Turnhout.

11. In page 5, between lines 8 and 9, to insert the following:

“(fa) in-work poverty levels.”.

—Senators Katherine Zappone, Jillian van Turnhout.

12. In page 5, between lines 8 and 9, to insert the following:

“(fa) the social and economic impact of wage levels and associated cost or benefit to the state, and”.

—Senators Katherine Zappone, Jillian van Turnhout.

13. In page 5, to delete lines 9 to 12 and substitute the following:

“(g) the likely effect that any proposed order will have on—

(i) levels of employment and unemployment,

(ii) the cost of living,

(iii) national competitiveness,

(iv) levels of equality and gender equality,

(v) in-work poverty levels,

(vi) the social and economic impact of wage levels.”.

—Senator Katherine Zappone, Jillian van Turnhout.
14. In page 5, between lines 12 and 13, to insert the following:

“(iv) addressing levels of income inequality to include income inequality between men and women in the current period,

(v) aggregate demand in the economy,

(vi) tax receipts.”.

—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.

*15. In page 5, to delete line 18 and substitute the following:

“(i) be made not later than 2 months after this Act comes into operation and, thereafter, not later than 2 months after the beginning of each year.”.

16. In page 5, between lines 23 and 24, to insert the following:

“(4A) The Commission shall monitor the incidence of low pay by examining the prevalence of pay two-thirds or below of median earnings in the current period in each sector of the economy, and report its recommendations to reduce the percentage of employees in each sector who earn below two-thirds of the hourly median wage over the following 3 year period.

(4B) The Commission shall examine and report on key patterns in paid and unpaid open market internships providing a regulatory framework for internships and to support professional associations to promote ethical internship programmes.

(4C) The Commission shall examine and report on the effectiveness of existing policies to enforce the National Minimum Wage and make recommendations for improvement of compliance and enforcement.”.

—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.

17. In page 5, between lines 30 and 31, to insert the following:

“(6A) Every report made by the Commission shall be laid before each House of the Oireachtas as soon as practicable after it is made.”.

—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.

SECTION 6

*18. In page 6, line 8, to delete “Minister may—” and substitute “Minister shall—”.

19. In page 6, to delete lines 21 to 23 and substitute the following:

“(3) The national minimum hourly rate of pay declared by order under this section may include—

(a) an allowance in respect of board and lodgings, board only or lodgings only at such rates as are specified in the order,
(b) a prohibition or restriction on charges or deductions,
(c) fair hours of employment rules.”.
—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.

20. In page 6, line 27, to delete “pay.”.” and substitute the following:
“pay.
(5) Where the Minister declares an order for any increase to the national minimum wage, a sufficient lead-in period should be made available for this new rate to be met in a planned way.”.”.
—Senators Mary M. White, Paschal Mooney.

SECTION 7
21. In page 6, between lines 27 and 28, to insert the following:

“Complaints and protection against victimisation
7. An employer shall not penalise or threaten against a worker, or cause or permit any other person to penalise or threaten penalisation against a worker for having made a statement to the Low Pay Commission or for giving evidence on their own experience through their representative organisation.”.
—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.

SECTION 8
*22. In page 7, line 6, to delete “subsection (2)” and substitute “subsection (3)”.

SECTION 10
23. In page 7, line 20, to delete “National Minimum Wage (Low Pay Commission) Act” and substitute “Low Pay Commission Act”.
—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.

SCHEDULE
24. In page 8, line 16, after “persons” to insert “, one of whom shall be a person currently managing a small to medium sized enterprise”.
—Senators Mary M. White, Paschal Mooney.

25. In page 8, line 26, to delete “economics” where it firstly occurs and substitute “social policy”.
—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.

26. In page 8, between lines 28 and 29, to insert the following:
“(d) 3 low paid workers who, in the opinion of the Minister, have a first-hand understanding of the impact of low pay for
vulnerable workers and its impact on their life chances.”.

—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.

**27.** In page 9, to delete lines 12 to 14 and substitute the following:

“(c) the member has a conflict of interest of interest of such significance that, in the opinion of the Minister, the member should cease to hold the office, or”.

**28.** In page 9, between lines 18 and 19, to insert the following:

“(a) is found guilty of an offence under the Principal Act,”.

—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.

**29.** In page 10, line 7, to delete “Commission is—” and substitute “Commission—”.

**TITLE**

**30.** In page 3, line 8, to delete “related matters” and substitute “matters related to low pay”.

—Senators David Cullinane, Kathryn Reilly, Trevor Ó Clochartaigh.