



**Irish Congress of Trade Unions statement to the Joint
Committee on the Implementation of the Good Friday
Agreement of the Committee on 'Finance and
Economics' to discuss workers rights, north and south
of the border**

September 2023

www.ictu.ie

Chairperson, committee members. I want to thank you at the outset for the invitation to appear before you today on this critical issue. I am accompanied by my colleague Mr Justin Mc Camphill who is the President of the Irish Congress of Trade Unions.

The Irish Congress of Trade Unions is the all-island representative voice of workers. Through our forty-six affiliate trade unions, we represent over 750,000 workers in all parts of the economy right across the island of Ireland. In Northern Ireland we represent 200,000 workers from all communities. We pride ourselves on the fact that we are truly cross community.

The Irish Congress of Trade Unions seeks to coordinate the collective voice of workers and the trade union movement in our engagement with the Irish government, other political parties and stakeholders in the Republic of Ireland and with the Assembly and Executive (when operational) and all parts of civic life in Northern Ireland.

We campaigned vigorously against Brexit and after the referendum advocated that should Brexit occur; it should reflect the narrowness of the vote and should therefore be very soft. Given that we represent workers on both sides of the border we are very concerned about the prospect of greater divergence of workers' rights and employment law in both jurisdictions. Brexit and specifically the type of Brexit chosen by the UK government has created the context whereby discussion and debate about the possibility of constitutional change on the island of Ireland has come more to the fore in some quarters. As an all-island body with members and unions from a variety of backgrounds, we believe such a debate should be as inclusive and as open as possible. We believe the variety of perspectives workers have must be articulated and to the fore.

Historically, in the case of individual employment rights legislation, there has been a level of consistency in practice in both jurisdictions. This has been because much of the individual employments rights legislative framework has originated from a variety of EU directives. Whether it be the organisation of working time or health and safety etc, there has been a level of consistency regarding its general application over the years.

This has not been the case when it comes to a range of collective/industrial relations issues particularly relating to the organisation and operation of trade unions. Some of the Thatcher era anti trade union legislation remains on the statute books in Northern Ireland.

Unlike in Wales and Scotland, in Northern Ireland employment rights are devolved. However, in our experience successive Ministers for the Economy in Northern Ireland have shown little interest in focusing on the development and improvement of employment rights. This has been a missed opportunity.

The current UK government has recently introduced very draconian anti trade union legislation, (however given the devolution of employment rights) it does not directly apply to Northern Ireland. However, as Northern Ireland is outside of the EU, new and progressive EU directives around workers' rights i.e. the *Adequate Minimum Wages Directive* will not have direct effect nor apply in Northern Ireland unlike the Republic of Ireland. This directive, if transposed properly by the government will promote collective bargaining like never before and require the state to develop an action plan with the social partners to make access to collective bargaining and unions at sectoral level, more readily available to all workers. It has the potential to significantly improve our industrial relations infrastructure and increase collective bargaining coverage, i.e. the proportion of workers covered by a collective agreement.

Therefore, the committee can see that when it comes to the industrial relations infrastructure/environment and legislation surrounding important individual employment rights and indeed collective issues around workers' rights and trade union rights, with the continued absence of an Executive, more divergence will occur. But of course, this is precisely the objective of those who have supported and encouraged the hardest Brexit possible.

As an all-island body we are committed to pursuing improvements for workers both in their individual employment rights and their collective industrial interests. We therefore seek the full and optimum transposition of the *Adequate Minimum Wages Directive* referenced above in the Republic of Ireland along with the implementation of the Labour Employer Economic Forum High Level Group report on collective bargaining (the LEEF HLG report). In Northern Ireland we will be seeking the development of an comprehensive employment bill that mirrors the directive where possible in order to seek to ensure that our members and workers in Northern Ireland do not fall behind and to seek as much positive and progressive alignment of workers' rights in both jurisdictions on the island of Ireland.

We note with interest the publication of the UK Labour Party policy paper '*A fair deal for working people*' which if elected will form part of their programme for government over the next period. Should the continued and unacceptable absence of an Assembly occur workers in Northern Ireland would inevitably fall further behind when it comes to employment rights and workers collective interests. This would be completely unacceptable.

Ends