

# DÁIL ÉIREANN

## AN COMHCHOISTE UM FHIONTAR, TRÁDÁIL AGUS FOSTAÍOCHT

## JOINT COMMITTEE ON ENTERPRISE, TRADE AND EMPLOYMENT

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*Dé Céadaoin, 19 Bealtaine 2021*

*Wednesday, 19 May 2021*

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Tháinig an Comhchoiste le chéile ag 9.30 a.m.

The Joint Committee met at 9.30 a.m.

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Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Richard Bruton,	Garret Ahearn,
Paul Murphy,	Ollie Crowe,
Louise O'Reilly,	Róisín Garvey,
Matt Shanahan,	Marie Sherlock.
David Stanton.	

Teachta / Deputy Maurice Quinlivan sa Chathaoir / in the Chair.

## Online Content Moderation and Reactivation of Economy: Discussion

**Chairman:** I thank the members and the Tánaiste and Minister for Enterprise, Trade and Employment for participating in today's meeting in line with the exceptional circumstances with which we must deal given the Covid-19 pandemic. I remind them that apart from myself and members of the committee secretariat, all members and the witnesses are required to participate remotely, within the Leinster House complex where possible. Today's meeting involves consideration of two matters that are of particular interest to the committee. The first concerns the employment rights and health and safety of content moderators. In addition, with the easing of the restrictions relating to the pandemic, the committee is keen to explore issues relating to the reactivation of the economy following the disruption caused by the Covid 19 pandemic. I hope we can fully cover both items during our meeting.

To assist the committee in considering these matters, I am pleased to welcome the Tánaiste and Minister for Enterprise, Trade and Employment. He is accompanied by two officials from his Department, Mr. Stephen Curry and Mr. Oliver Gilvarry. Before we start, I wish to explain some limitations to parliamentary privilege and the practice of the Houses as regards references that may be made to other persons in evidence. The evidence of witnesses who are physically present or who give evidence from within parliamentary precincts is protected pursuant to both the Constitution and statute by absolute privilege. This means they have an absolute defence against any defamation action for anything they say at the meeting. However, they are expected not to abuse this privilege and it is my duty as Chair to ensure this privilege is not abused. Therefore, if their statements are potentially defamatory in respect of an identifiable person or entity, they will be directed to discontinue their remarks. It is imperative that they comply with any such directions. The Minister's opening statement has already been circulated to members. I now invite the Minister to make his opening statement.

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Leo Varadkar):** I thank the Chairman and committee members for the invitation to discuss the employment of content moderators and the reactivation of the economy in the context of Covid-19. As the two issues are quite different, I will speak initially about content moderators and then move on to economic issues more generally.

Although it is a new form of work, we can all agree that content moderation plays a vital role in our use of the Internet and in turn in our everyday lives. It is hard to imagine what the Internet would be like without them. Content moderators carry out really important work to protect all of us and we need to ensure they are protected properly in their work. They prevent the wider distribution of explicit and harmful content and I acknowledge there are specific stressors inherent in the type of work they carry out. I believe it requires appropriate training, competence, ongoing debriefing and supervision within a well-established, safe and healthy system of work.

In late January, following a request from Deputy O'Reilly, I met a group of content moderators and their representatives to hear from them at first hand. Following the meeting, I wrote to Facebook setting out the concerns raised at the meeting and the company provided a detailed response to my letter. I believe this has been shared with the committee recently. There is a strong legislative regime in Ireland to protect all workers regardless of where they work or the type of work they do in terms of their working conditions, including health and safety. Employers, no matter what sector they are in, have a duty of care towards employees to ensure that a safe working environment is created. This includes the management of workplace stressors or

psychosocial hazards. As I said, appropriate training must be provided and employers must carry out a risk assessment with a particular focus on potential hazards relating to content moderation work. Proper risk assessment, along with mitigation measures, is the foundation of all workplace health and safety. Promoting positive mental health within the workplace is good for the employees and is also a factor in improving overall business performance and productivity.

For this reason, I urge employees to engage in the first instance with their employer to see how their concerns can be resolved at workplace level. However, any content moderator concerned for his or her health and safety can contact the Health and Safety Authority, HSA, in confidence and can also contact the Workplace Relations Commission, WRC, about broader working conditions. Where necessary, the resolution mechanisms available from the relevant State agencies can be utilised by both employers and employees. I am aware that the HSA is addressing matters already raised with it. As members will appreciate, the HSA is independent in the carrying out of its regulatory function and keeps much of that information confidential. This includes keeping it from me.

Moving on to the second topic, which is the reactivation of the economy, I am very hopeful that we can return to something close to normality by late summer. It has been an extremely long road for everyone - citizens, workers, businesses, friends and family - but I think our patience and resilience have been worth it. The vaccination programme is picking up momentum administering approximately 270,000 vaccines per week. Nearly 40% of our adult population has had at least one dose now and we hope to have the vast majority of our adult population vaccinated at least once by the end of June and fully vaccinated by end of September. Members will be aware that the portal is now open to people in their late 40s to register.

Within the next two weeks, we expect to be in a position to publish a national economic recovery plan - most likely at the end of May or even 1 June. The plan will provide certainty for businesses and workers by outlining targeted support for sectors which will continue to be most adversely affected by the pandemic. It will outline the next steps for the emergency pandemic interventions, including what we will do with the pandemic unemployment payment, PUP, and the employment wage subsidy scheme, EWSS, reaffirming the Government's commitment to avoid a cliff edge. At the same time, we all understand that for financial reasons, there cannot be a long tail either. I think members will agree that the three main schemes – the Covid restrictions support scheme, CRSS; EWSS; and PUP - compare favourably with what is on offer in other countries. Members may be aware that my colleague, the Minister of State, Deputy Troy, published our proposals for a new small company administrative rescue process, SCARP, last week. This is a cheaper quicker alternative to examinership and with the help of the committee, we hope to have the Bill enacted before the summer recess. This could save a lot of businesses in the autumn that are viable but need to restructure to survive.

The national economic recovery plan will help to drive a jobs-rich recovery, help people return to work and assist sectors that have been and will continue to be disproportionately affected by the pandemic. I am thinking of tourism and hospitality, the aviation sector, arts and entertainment. The plan will also set out our ambition not just to return to pre-pandemic Ireland but to build a better “normal” - a more inclusive society that is equipped to meet head on the twin challenges of digital and green. Last Friday, I published updated guidance on ventilation and antigen testing to reduce the spread of Covid in the workplace and help people get back to work and businesses to open and stay open.

The updated work safely protocol, which was developed in consultation with unions and employers, is the most up-to-date public health advice for the workplace. It sets out the mea-

asures required to prevent the spread of Covid-19 in the workplace, including information on how to approach the use of antigen testing. Our advice is still to continue to work from home where possible but this protocol makes sure every workplace has clear and up-to-date guidance. It gives clear information on how to use antigen testing appropriately in the workplace. It sets out that these tests should be used as an additional health and safety measure and not as a substitute for any other precautions. Employers should also consider how they can improve ventilation in workplaces. Even simple actions like airing rooms or keeping a window open can make a real difference. Although we intend to vaccinate the vast majority of the adult population by the end of June, the reality is some people cannot or will not take one. Vaccination is and will remain voluntary so it is important that employers have guidance on how to manage any unvaccinated workers, particularly in customer-facing roles. The document gives some information on that but I accept that it will need to be added to in its next iteration.

I look forward to members' comments and am happy to answer any questions they may have.

**Chairman:** Thank you, Tánaiste. I now invite members to discuss both issues with the Minister. I remind them to use the "Raise hand" function if they wish to contribute and to take it down when they are finished speaking. We have a rota and a system. The first person who has indicated is Deputy O'Reilly.

**Deputy Louise O'Reilly:** I thank the Tánaiste for his opening statement and for meeting with the content moderators. I know they found the meeting to be beneficial. It would be brilliant if one meeting with the Tánaiste or anybody else resolved the issues they have. It will not. This is an ongoing issue. It is one on which the committee heard from the content moderators, in particular one by the name of Isabella Plunkett, last week. I appreciate that the Tánaiste may not have had a chance to hear what she had to say. If he did not, I encourage him to have a look back at the proceedings because she talked from first-hand experience.

The Tánaiste will have heard at the meeting from people who have first-hand experience. We need to look at the way in which these people are working and the work they do. They are our first line of defence. However, we have to ask about the level of trauma these people have to suffer in order for social media platforms to be able to function. Thinking about this logically, if there were a make of car that every time a mechanic fixed he or she broke a finger, we would take it off the road. I do not know if the Tánaiste has a view as to how viable the business model is if it requires such a level of trauma and if the consequent supports are not put in place to ensure that people have the opportunity to debrief and to decompress after a shift. Non-disclosure agreements and conditions that prevent workers from telling their spouse or whoever else is at home when they come home in the evening what it is they have been doing all day are archaic. They have no place in a modern workforce, yet these are the conditions under which these people are working.

I am aware that Facebook wrote back to the Tánaiste and listed the supports in place, but he will be aware that those supports are not available to the content moderators who work for an outsourced platform. Does he have a view as to whether a similar level of support should be offered to such workers? I do not think anything could ever mitigate fully what these poor people have to see in the course of their normal work, but does the Tánaiste have a view on a similar level of supports being available for both outsourced and in-house workers?

**Deputy Leo Varadkar:** I thank the Deputy for her question and for introducing the content moderators to me because it was very interesting to hear what they had to say. I think we all

agree that they do a very difficult job. Some of the work they do can be done through artificial intelligence and algorithms but only a small amount of it. I am not a tech person but I suspect that for the foreseeable future we will need a lot of this work to be done by a human being and a human brain. Of course, behind a human brain are human emotions. We need people who will police the Internet and take content down. We all see the stuff that gets through so we can only imagine the stuff that does not get through, what it is like and the impact it may have on people. The Deputy will be aware that I wrote to Facebook about this. It replied. I have not met representatives of the company in recent months but this matter will be on the agenda the next time I meet them and I will take an interest in it. The HSA has its role and will carry out its functions as it should.

To answer Deputy O'Reilly's question, my sense is that if people being outsourced to a company or a contractor are doing the same work as the directly employed people within that company, such as Facebook, they should get the same psychological supports and backup as the directly employed workers. Now, maybe they are doing different work, but if they are doing the same work, they should get the same psychological and well-being supports. Like many members of the committee, I think, I am not against outsourcing. The Government does it all the time. Departments do it all the time, and very successfully. However, it should not be done by an employer as a means of avoiding obligations or potential legal liabilities. That is all I will say about that.

**Deputy Louise O'Reilly:** I understand I will have an opportunity to contribute again later when we might get another chance to discuss the content moderators.

As for the notion that we will spend our summer outdoors, it would, as people say, be a lovely little country if only we could put a roof over it. Last weekend, Dublin City Council put a fence around an open space where people gather. I fully respect that the residents have issues with people gathering outside their houses but I am also conscious that the Government advice is to go outside and spend the summer outdoors. I raised this with the Tánaiste last week on Questions on Promised Legislation. We need a plan and it has to involve toilets and bins. We can put any nice names we want on them, but it is toilets and bins that will be needed in order that people can enjoy the summer outdoors.

It was put to me during the week that it is almost as if the Government is saying, "Irish people, you just cannot have nice things." That should not be the case. If we are to have any kind of summer at all, we need to spend it outdoors. We do not know when we will be able to have everybody indoors together.

Will the Tánaiste comment on what happened in Portobello? I do not want to see that happen in my area. I want to see residents respected - of course I do - but, for the want of outdoor toilets and bins, an entire area was closed off. We cannot keep shunting people around and, at the same time, tell them the message is to go outside if, when they go outside, there is nothing there for them except a fence. Gardaí have to police people trying to get to one area. That is a waste of their time and a waste of Garda resources. Somewhere in the city, while gardaí were standing policing a fence, a crime was being committed. There has to be a plan to marry the two elements because it is not fair to tell people to go outside but not to go to this or that place and then to move them on all the time.

**Deputy Leo Varadkar:** I definitely do not think the solution to these problems is to close off public areas. I appreciate that the city council had to make the decision it made and I really sympathise with the residents. The Deputy can imagine what they have experienced. This was



not just outdoor drinking; it was people urinating and defecating near their homes, and I do not think any of us can condone that. I remember that in my constituency what kept us sane during the pandemic was the Phoenix Park. I was there nearly every other day. There was a suggestion at one point that the park was getting too crowded and it might be a good idea to close it. The Deputy can be absolutely sure that the public representatives in my constituency responded to that very quickly and said the closure of our biggest park and the crowding of everyone into the small greens was not a solution. That was not going to work at all and, thankfully, the OPW took the decision not to close the park or to restrict numbers into it.

When we talk about an outdoor summer, it will not be outdoors only. Increasingly, as people get vaccinated, they can meet up indoors. I still expect we will have indoor dining in July. The Deputy is totally right about the toilets and bins, and that is the message we are putting across to local authorities.

Next week, we intend to have two memorandums from the Government. The first will be on the pathway forward regarding international travel, although the new Indian variants are now causing additional concern. Nonetheless, it will be a pathway towards the restoration of international travel over the next few months. The second memo is being brought to us by the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Deputy Catherine Martin, and is all about live events and a whole set of trial and pilot events in June and July - sporting, artistic, musical and cultural, outdoor and indoor - with limited capacity. We are making those plans and I think that will be good news to people who are dying to see a live event, as I know the Deputy is. I am too. It will be of some relief to people working in the sector who have been unable to work and to do their art, essentially, for nearly a year now.

**Deputy Louise O'Reilly:** Yes, but, with respect, other European cities can manage this. Dublin is a beautiful city. It is by far and away one of the loveliest places on earth, in my opinion, so why can we not have outdoor spaces that are similar to those available to citizens in cities right across Europe? We have many open spaces. I was really disappointed to see Portobello Plaza closed and to think this might happen to other places, given that we will be spending the summer outdoors. For those people who will not be dining indoors and who want to stay outdoors, there should be spaces where they can gather, not just places to meet when spending money. It seems as if those places are disappearing. We are becoming less and less like other European cities and I do not think that is a good way for us to go. It comes down to basic facilities such as bins and toilets. They will make the outdoors much more liveable. We would like to see some concrete action on that. I appreciate that the Tánaiste has heard the point but we would like to see more of an instruction being given to local authorities to ensure this is done.

On the rules regarding indoor dining, I am not a scientist and do not pretend to be, but it makes no sense to me that this is decided purely on the basis of the type of business. An hotel with a small restaurant and low ceilings will be able to open, whereas a restaurant with high ceilings and good ventilation will not. The same is true of a pub that has the capacity to put dividers between the tables and so on. I appreciate that the Tánaiste has met people in the hospitality industry but they are scratching their heads. If it is going to be based on size, let it be based on size, or if it is going to be based on ventilation, let it be based on ventilation, but that should be based on scientific evidence. They have not seen evidence and nor have I.

Will the Tánaiste offer an explanation for the decision, or even some comfort that such businesses will be able to open at the same time provided that they have the facilities? Nobody wants 100 people to be squashed into a small room with low ceilings. We are all a bit risk averse at this stage to that kind of scenario. Nevertheless, a large pub or restaurant with

high ceilings and good ventilation is surely as safe as a similar type of venue within an hotel. I believe it is possible to do it based on size. It has been based on size or ventilation in other European countries, rather than simply on the type of business that it happens to be.

**Deputy Leo Varadkar:** As the Deputy will be aware, the decision to open hotels before restaurants was based on public health advice and was in line with the advice from NPHET. We are often criticised for not following that advice and this is one occasion on which we did so to the letter, except for the fact that hotels are opening a few days earlier than NPHET suggested. It is for a practical reason, not a scientific reason. I will be frank with the Deputy about that and I have been with the industry too.

We have never closed hotels' dining rooms. During level 5, when we were all locked down at home, hotels remained open for essential reasons, such as for people who had to stay there because they had nowhere else to stay, and we never closed their restaurants or dining rooms. If we were to close them now, we would be closing them for the first time. This was never a problem before. The problem now arises only because there is a disparity between the way we are treating hotel restaurants and other restaurants. If we were to turn around and close them now, however, it would not make sense. We would be saying that people can be served their meals in their rooms only. I hope and expect that the gap will be for only a couple of weeks.

**Deputy Louise O'Reilly:** I am not suggesting there should be a delay in opening hotels and I am aware they have been open throughout the pandemic, providing food and essential provisions for essential workers. Would it be possible to carry out ventilation tests, as was done with classrooms such that classrooms were not all deemed either okay or not okay? Could tests be provided on the extent to which restaurants might be able to accommodate people? Could the Government examine that? About 80% of restaurants cannot provide outdoor dining, so they are very anxious, as the Tánaiste will know. For those restaurants that might have the facilities, with high ceilings, ventilation and so on, could consideration be given to allowing them to reopen at the same time? I fully appreciate that hotels have been open throughout and do not suggest they should be closed as some kind of catch-up exercise. In the case of restaurants that have the facilities, would it be possible to give consideration to what I outlined?

**Deputy Leo Varadkar:** Of course it is possible but it would be going against the advice of NPHET. My priority now, rather than having a complicated set of criteria for a two or three-week period, is to get the decision to allow restaurants and pubs to open indoors. If they knew they were going to be able to do that in the first week or so of July, that two or three-week period might be more acceptable. I would be concerned that if we came up with a strict regime to allow them to half-open indoors, they might be stuck with that for months.

**Senator Ollie Crowe:** I thank the Tánaiste for his attendance and time. The role of content moderator is very challenging. Ms Isabella Plunkett told the committee last week of the effect it had had on her personally and how it had started to have serious impacts on her life outside her job. She described the horrible dreams she has and the anguish it causes her, and stated she has had to take the step of taking antidepressants. Dealing daily with hate speech, racism, images of child exploitation is not a job that anyone should have to do but, unfortunately, it is necessary.

In my opinion, there is a moral responsibility on Facebook to ensure, at the very least, that content moderators are very well looked after. Facebook is one of the richest companies in the world, worth almost \$1 trillion. It is clear it can well afford to treat staff equally and ensure proper supports are in place well beyond weekly wellness sessions, and to pay them fairly. If the Tánaiste gets an opportunity in the coming weeks to view a recording of last week's meet-

ing, I encourage him to do so. The culture of fear that Ms Plunkett described, with content moderators afraid to speak out due to non-disclosure agreements, is quite frankly sickening. I strongly urge the Government to take action, meet representatives of Facebook and demand it immediately address the issue. I welcome the Tánaiste's comments that he intends to meet the company. If possible, will he outline when he expects that to happen?

Everybody I speak to in hospitality, SMEs or the wider economy acknowledges the substantial and unprecedented supports the Government has put in place while also recognising that despite these supports, thousands of businesses throughout the country remain under significant pressure due to a crisis not of their making. I have concerns about the debt that businesses are carrying, particularly in the case of SMEs. The debt warehousing scheme is a very welcome initiative that will improve short-term cash flow for SMEs. There is no question but that the scheme is very welcome but the timeframe of 12 months is a short period in which to resolve cash flow issues as we emerge from the pandemic, and that needs to be examined. I appreciate that outstanding liabilities can be paid off following three years at a relatively low interest rate of 3%, but it would save SMEs having to go to financial institutions, where it is difficult to get funding, if the 12-month period could be extended to 24 months. I would appreciate hearing the Tánaiste's views on that.

The employment wage subsidy scheme is scheduled to run until the end of June. It has been run at considerable expense to the State but strong consideration needs to be given to extending it until, at the minimum, the end of September and possibly beyond. I speak to business owners in Galway city every day. The scheme is essential for restaurants, hotels and bars, as it gives them the opportunity to rebuild while limiting their expenses. All members want businesses to survive, rebound from the crisis and develop and grow again. If we can make the extra investment now, it may prove to be the difference needed for thousands of businesses across the country to get back on their feet and give them the window of opportunity to ensure they can become sustainable before supports are removed.

**Deputy Leo Varadkar:** I do not have a date in my diary to meet representatives of Facebook again any time soon. I usually meet them at intervals of six months to a year, as Facebook is a major employer and taxpayer in Ireland. I am sure a meeting will happen in the next few months.

On tax warehousing, I hear what Senator Crowe is saying. It would be strange if we were telling businesses to get Government backed low-cost loans when we could just extend tax warehousing. That might be the most effective thing for them in terms of cash flow. It is a matter for the Minister for Finance, as the Senator knows, but I know the Minister quite well and we have had a number of conversations on this issue. No decision will be made until 1 June. That is all I can say for now. I understand the point the Senator made and I agree with it.

**Senator Ollie Crowe:** I thank the Tánaiste for his reply.

**Deputy David Stanton:** I welcome the Tánaiste to the committee. The meeting we had with the content moderators was harrowing for all of us. I congratulate Deputy O'Reilly on having brought the matter to our attention and facilitating their meeting with us and with the Tánaiste, whom I thank for meeting them. Heinous crimes are being committed in the world, in Ireland and elsewhere. As the Tánaiste said, these crimes often involve child abuse, rape, torture, murder and God knows what else. Today, we are talking about supporting content moderators. I do not know how any human being can survive being exposed to this kind of material, all day every day, without becoming seriously damaged, while not receiving intense support.



Facebook could not continue without the work of the moderators. I think the Tánaiste said that some of this content is getting through in spite of the work of the moderators. Is there an issue regarding the investigation by police forces, not just in Ireland but all over the world, of crimes committed and their recordings being put online? There are real victims out there. I know some of these crimes occur in war zones, countries without governments and failed states, but much of it is probably happening in the so-called developed world. Perhaps the Tánaiste will use his good offices at European level and beyond to get governments to chase this material down and prosecute those who put it online, inasmuch as this can be done. That is not to take away from the content of our meeting today, which is to support the content moderators in every way possible, but what is happening behind the scenes is awful. I think there are 1,900 moderators working full time in Ireland trying to deal with this material. That shows the vast scale of the horrific stuff that is going on. It strikes me that it is important to go beyond what is happening here.

On the issue of opening the economy, the announcement made by the Tánaiste yesterday about supports for people in non-rateable businesses working from home is very welcome. It is a matter on which several people have rang me about from time to time. The extension of the small business assistance scheme to such people is very welcome. I told a number of people about this yesterday and they were very pleased because they have been under a lot of pressure. I know the amount of money involved is small, but it is very welcome. When does the Tánaiste expect that to be up and running? The press release stated that it would be shortly but he might let us know when.

Will the Tánaiste comment on the announcement by Aer Lingus yesterday, which affects Cork and Shannon airports? Aer Lingus has closed its Shannon operations completely. In Cork there is work taking place on the runway to coincide with the temporary closure of the base there. It is a concern and I ask the Tánaiste to comment on it.

The pandemic has thrown up all kinds of different issues. Driver theory tests are being cancelled left, right, and centre. I know it is not the Tánaiste's area, but people need to drive to work and take part in businesses. It has been put to me that if the theory tests were to be put off until the company running them has the opportunity to get organised, people could start to do the driving lessons first and do the driver theory test afterwards. As the Tánaiste knows, people must do the theory test first but many people cannot do it and are put out by that.

Another area which is related to this, is about people involved in business and industry needing a small public service vehicle licence. There was a hiatus for a year during which the requirement was suspended but it now in place again and €2,000 is being sought from self-employed people who are involved in taxi tours, limousine and car hire. These people tell me they will not have business until May 2022. They are being asked to pay €2,000 for a licence they cannot use. This is a business issue which I take the opportunity to bring to the Minister's attention.

Those are the two main points I wanted to raise. I thank the Tánaiste for the work he is doing during these very challenging times.

**Deputy Leo Varadkar:** Deputy Stanton makes a good point about the content that is posted online. There is a criminal justice element to this. I do not know whether there are protocols that Internet platforms follow and whether they simply take this content down or report it to the authorities in the relevant country. I will check that because one would think they would have a responsibility in that regard.

The Deputy will be aware that the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Deputy Catherine Martin, is working on the online safety legislation and the creation of an online safety commissioner, which is long overdue. There should be a protocol for the platforms to report potentially illegal content to the relevant authorities, but it is the world wide web and that is not easily done.

On the small business assistance scheme for Covid, SBASC, we anticipate that will open for applications on Friday. However, just in case something goes wrong, I will say that, officially, it will open next week. If all goes to plan, however, it will open on Friday and will be run through the local authorities. The closing date for applications will be 21 July, so businesses have a decent amount of time to make their application. The scheme applies to any business that had a turnover in excess of €50,000 a year and whose turnover has declined by 75% or more. These businesses can get a grant of €4,000 to help with their costs. It is no longer limited to rateable premises, so it includes non-rateable premises and people working from home or a hot desk.

Many people would have heard about the needs of wedding planners, photographers, travel counsellors and on-course bookmakers. They would largely be covered by this scheme. I recognise there is an issue with very small businesses with a turnover of less than €50,000. In order to help them out, we are reopening an old scheme called the micro-enterprise assistance scheme. That will give very small businesses a grant of up to €1,000 to help with their costs. That will be run through local enterprise offices, LEOs. Separate from that, the Minister, Deputy Martin, and I are working on something for the events sector, which is still in real difficulty.

What we expect to do from quarter 3, starting in July, is to move away from different sectoral supports to something that is across the board. We brought in the employment wage subsidy scheme, EWSS, and the Covid restrictions support scheme, CRSS, which are great but had many gaps. We then created about ten or 20 different schemes to fill those gaps. Ideally, what we will do from July onwards is to have a single scheme that fits all firms. However, as we all know, one size does not fill all, so we will probably find we will have the same problem again. Hopefully, this will not be an issue because businesses will be open and trading. It should not be as big an issue as it is now in any event.

On Aer Lingus, yesterday's news was extremely unwelcome. I met representatives of Aer Lingus in the last couple of weeks. I was aware that the company planned to do some restructuring but it did not give us any details. Understandably, it has to give those to its employees first. The closure of the cabin crew base in Shannon was not expected. It is down to the pandemic and the fact that people are just not travelling. It is also down to the restrictions the Government imposed. It would be remiss of me not to point out that there are many Members of the Oireachtas who still do not believe those restrictions went far enough. The decision would have been even worse had we gone along with the calls made by some Members.

Aer Lingus and the other airlines are receiving very substantial support, millions of euro, every week through the wage subsidy scheme. Airports have also received financial support. There is no shortage of money going into aviation from government. I believe it is in the hundreds of millions of euro at this stage. We have had conversations with airlines about paying them to keep certain strategic routes open but that is not something they are particularly interested in, aside from the fact that this would run into state aid rules and competition rules. They want to fly their aeroplanes with passengers on them. They do not want to be paid to fly empty planes. We are not New Zealand or Qantas. In the real world, aeroplanes can be moved out of Ireland very easily to places like Manchester. That is one of the consequences of the very strict travel restrictions we have in Ireland.

I do not regret imposing those restrictions, by the way. We have one of the lowest death rates per million population in Europe. Only Finland and Denmark have seen fewer deaths per million than Ireland, and some of that is down to our very strict travel rules and the fact that we are an island. However, they have real consequences for real people, including not being able to see families and friends who live abroad and the loss of jobs in tourism and aviation. The sooner we can get back to flying, the better. However, we still stand the risk of reseeding the virus into Ireland and bringing in variants and we cannot ignore that risk. There is real concern around the Indian variants in particular coming from the UK and we have to keep a close eye on that.

I will have to pass on the driver test issues and small public service vehicles. I could give the Deputy an answer but it would probably be wrong. I will ask the Minister of State, Deputy Hildegarde Naughton, to get in touch with him on that.

**Deputy Richard Bruton:** I congratulate the Tánaiste, his Department and its agencies for the flexibility and adaptability they have shown. I particularly welcome the introduction of examinership-lite and the new approach to work, sick pay, the living wage and so on. We are seeing the Department responding to a changing environment.

Is the use of antigen testing rather than PCR tests before boarding flights in prospect? A case is being made that it is being done elsewhere.

We know changes to corporate taxation are coming. The challenge for Ireland as we come out of this is to build long-term resilience. That will involve embedding climate and circular resilience, building a sharing economy and building lifelong learning and digital and remote skills. These are all changes that we need to make. To what extent is there an effort under way to mobilise the capacity of the Department's agencies to address these longer term structural changes? It will need agencies and educational institutions to help companies make the shift. How will that be approached. There is always the risk that the urgent will squeeze out the important but there is no doubt that we have to change our model and build new sources of competitive advantage.

**Deputy Leo Varadkar:** On antigen testing for international travel, we all know there are different views. NPHET and the Chief Medical Officer do not like it, while the chief scientific officer, Professor Ferguson, is a big fan. The Government is not ruling it out but for now, we have PCR testing for international travel. We are not ruling out a move to antigen testing but, without rehearsing the arguments, there are advantages and disadvantages. The obvious advantage is that antigen tests are cheaper and quicker and will pick up people who are in their infectious stage of the virus where they are shedding virus and are transmissible. On the downside, they miss a lot of positives and negatives and can give false reassurance. Given that we are making so much progress with the vaccines, I hope we might not need tests at all. Perhaps we will get to the point where we can say that being fully vaccinated is enough and not require people to have any form of test. That is where I would like to be but we have to figure that out between now and next week when the Government agrees its proposals on international travel.

On the wider strategic point, in fairness, the agencies and Department are doing as the Deputy described, even though we have been extremely busy firefighting and dealing with the pandemic over the last year. Since we have not been engaging in many of the normal activities, such as trade missions and travelling around the country attending major events, we have had a bit of time to do some more strategic thinking. The remote working strategy was a reflection of that. An artificial intelligence strategy will come out quite soon. IDA Ireland also has a new

strategy. Like everyone, the Department and its family of agencies have used the downtime created by the pandemic to do some forward thinking and insurance is part of that.

**Senator Róisín Garvey:** I thank the Tánaiste for his time and his work to date. Great supports have been provided, in fairness. My son, who is a student, had a part-time job and he benefited from the PUP which kept him sane. I thank the Tánaiste for the work on the PUP, which was put in place pretty quickly, so well done.

On Facebook, I have received letters from various people. I had meetings with members of Foxglove and we raised the issue in the committee. Given that Facebook does not directly employ these moderators, surely there is an onus on the recruitment agency, the company that employs them, and it should be put under pressure to provide proper services and reports for its employees. Is that something we can look at? There is a loophole for Facebook because if it is not directly employing these staff, it is not directly responsible for them. What are their official employers, the agencies that recruit them, doing to support these young people and their mental health? These are young people because there are no old people in these jobs. I am too old to get a job as a moderator. We will let down our young people if we do not get proper structures and supports in place for these content moderators. Prevention is better than a cure. All members feel very strongly about this issue. I will not go on about it; I just wanted to make the point about the middleman.

On local enterprise offices, LEOs, there are more than 248,000 small businesses in Ireland with fewer than ten employees. That is a huge number of jobs and they are the heart and soul in much of the country. These companies are often much more reliable than the bigger guys who might let us down by leaving and setting up in other countries, as happened yesterday. Small businesses are often high quality family companies that take good care of staff. We should support them more. The LEOs have done amazing work throughout the pandemic to keep small businesses afloat. They are under serious pressure, however, and it is clear from my meetings with them that they would love to have extra staff and supports.

On food producers, we are importing a lot of food that we could produce here. For example, potatoes and garlic are coming from China, Israel and England. We have a lot of great land that should be used more for growing food, not only mass producing beef and dairy. We should strengthen our labelling for food production. Under the current system, a company can import anything it likes, do something small with it, wrap it up and make it look as though it was made in Ireland. We need to have stronger labelling for food made in Ireland. I am aware of this from my sister's business which produces cheese.

If we strengthened labelling, we would strengthen Irish food producing companies. Also, because of the climate emergency, carbon footprint and all of those things, there has never been a better time to have a huge push to buy Irish. Back in the 1980s there was a great buy Irish campaign and it is time to have another one. I say to the Minister for Enterprise, Trade and Employment that a good buy Irish campaign on social media and national media might not be the worst spending that we could do.

I cannot emphasise how important Shannon Airport is to the entire region. The 120 jobs that were lost yesterday are devastating for the families affected. A lot of those workers have been loyal to Aer Lingus for a long time and it is disappointing to see the lack of loyalty that has been displayed by Aer Lingus to Cork, Shannon or to their staff. More important is the ripple effect the airport has on a huge region through the generation of many thousands of jobs in the tourism sector. It is well known that 95% of the people who fly into Dublin go somewhere else

and do not spend their money here. However, the people who come into Shannon and Cork are the people who stay and spend money here. They keep businesses open and keep people living in rural regions. If we are serious about regional rebalance I urge the Tánaiste, the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, the Minister for Finance and the Minister for Transport, Deputy Eamon Ryan, to sit around a table because they really need to see how important the Shannon and Cork airports are to a huge area of this country. We cannot talk about extending runways in Dublin while there are no flights coming out of Shannon Airport. We need those flights to England to connect us with the rest of the world and I cannot emphasise enough how important that is. They are essential for our mental health in the region, as well as our economic health and it is important that we are given hope. I believe that the Taoiseach is meeting some people but the four Ministers need to get their thinking caps on and decide what to do specifically for Shannon Airport as it has zero flights at the moment. We need Shannon Airport to resume flights and thrive again. When people come to Ireland, the east coast is great but the west has the Wild Atlantic Way and the most visited spots in Ireland such as the Cliffs of Moher and Adare. The region is massive and, therefore, it is important that the four Ministers I mentioned have an emergency meeting.

**Chairman:** If the Senator wants an answer she has only one minute left.

**Deputy Leo Varadkar:** The Senator is absolutely right about the content moderators. Whoever the employer is they have a duty of care whether it is Covalen, Facebook or anyone else. Under the Protection of Employees (Temporary Agency Work) Act 2012, if one is taking on agency workers, one has to give them the same protections as the people who are directly employed by one. The same basic working conditions certainly apply.

On the LEOs, again I very much agree. We are scaling them up. We are staffing them up. They have an extra €5 million in their budget this year and we have extended their remit. They are now responsible for everything ranging from flood relief to businesses to all the new schemes that we have set up. I do want to keep scaling them up over the next couple of years but I want to do so in a way that is manageable. Sometimes one can scale up an agency or public body too quickly, ask them to do too much too soon and then things fall over. So I want to be able to scale up but to do it right.

On the labelling, I am a big fan of Tola cheese, as the Senator knows, and I hope that company is going well. As labelling is an EU matter under the Single Market, we do not have full control over how things are labelled and how they are not but we have input into the EU. There are things that producers can do voluntarily but in terms of what the law is around labelling that is a Single Market issue and it is done at a European level. It is something, however, in which I certainly have an interest as trade Minister.

Finally on Shannon, as the Senator will be aware, the Minister, Deputy Eamon Ryan, is going to meet Aer Lingus today. He is going to ask them to defer their decision to close the cabin crew base at least until Aer Lingus sees the Government's plan for aviation, which will be out next week. What the company is saying, and said in its letter to me on the redundancies, is that it is not just about the pandemic and the travel restrictions. The airline is also saying that the base has been inefficient for quite some time even before the pandemic. I think that needs to be explored with it because we would like to see the decision deferred. If the decision goes ahead, we are going to want to talk to airlines about how we can incentivise them to return. Airlines are very nimble and bases that are closed one month can often be re-opened the next year and we have seen that particularly with Ryanair. I know that when I was the Minister responsible for tourism - long, long ago - removing the travel tax really helped to get new routes into the



country and frequency scaled up. The travel tax is now gone but we are going to examine what incentives we can put in place to encourage airlines to return and routes to return. The Ministers, Deputies Donohue and Eamon Ryan, and I actually spoke about that yesterday just after the Cabinet meeting. We have started that initial discussion already but all those things will only work when people are allowed to fly and that is the bottom line.

**Senator Marie Sherlock:** I thank the Tánaiste for coming to our hearing today.

As previous speakers have said, last week we heard powerful testimony from Ms Isabella Plunkett on her work for Facebook as a content moderator, and particularly about the culture of fear that is perpetrated within the company with workers being forced to sign non-disclosure agreements. I must record my alarm that the company in question happens to be a subsidiary of a company that is in receipt of very significant State contracts.

With regard to what the Government can do on this, I seek the Tánaiste's view of non-disclosure agreements, the withholding of those from workers and whether they should be published. Also, should content moderation be regulated as hazardous activity? Should content moderation be recognised in the health and safety regulation of this country?

**Deputy Leo Varadkar:** As regards non-disclosure agreements, I am strongly of the view that anyone who signs a non-disclosure agreement should be allowed to keep a copy of the agreement. I cannot imagine why anyone would be expected to sign any sort of agreement yet not have it. How do you know you are actually adhering to the agreement yourself if you only get to read the thing once? If they are not giving a copy of it, that is outrageous. Any person of course should have a copy of any agreement that he or she ever signs.

It is important to say that non-disclosure agreements cannot be used to prevent content moderators from raising issues of concern about their working conditions or their health and safety concerns. Non-disclosure agreements tend to be about confidentiality and not breaching confidentiality. They cannot be used to stop people from raising legitimate concerns about their legal rights and entitlements or health and safety conditions. Again, without knowing what is in these agreements it is hard to comment on them in any detail.

As for the issue the Senator has raised around health and safety regulation, I will give it some thought. That is the first time it was raised with me as a possibility that we could reform our health and safety laws in that regard. We always have to be willing to update our laws as the world of work is changing all the time. That is something to which I will give some thought and on which I will consult the HSA.

**Senator Marie Sherlock:** I thank the Tánaiste for that.

In respect of the second part of the Tánaiste's contribution this morning, when he very much wore the hat of the Minister for Enterprise, Trade and Employment, I welcome the prospect of the national economic plan being published soon. Obviously he is aware of the serious concerns that were articulated by some organisations in the retail and hospitality sectors on the ability to take back staff and to have a sufficient supply of staff for reopening. Certainly our Sunday newspapers and a lot of radio airtime have been given over to the issue in recent days. What is going to be done for these sectors? What are the issues with these sectors that they cannot get staff? Is it pay or skills? Is it time that we had a proper joint labour committee for the retail and hospitality sectors to enable us to talk through those issues? Some of the issues arise because the pay rate is the national minimum wage or barely above it, so there are difficulties

in attracting workers back.

**Deputy Leo Varadkar:** Let us see if they cannot get staff. We are in a very different place now than we were when we did the reopening last summer. I remember hearing last summer lots of anecdotal evidence from employers saying they could not get people back to work because the difference in what they were getting from the pandemic unemployment payment and what they would get for working 30 or 40 hours a week. Essentially, it would not be enough to encourage them to come back to work. In the end, however, I did not see very many shops or restaurants that could not reopen.

I am not actually convinced yet that people will not go back to work. We are seeing the number of people on the pandemic unemployment payment falling fast. This needs to be assessed in a few weeks' time. There will always be a small number of people who, for whatever reason, do not accept their job back. I think, however, the majority will. It is probably too soon to come to any conclusions about that yet. Let us see where we stand in terms of the numbers on the pandemic unemployment payment in July and August. We will have a better read then. We could be down to maybe 100,000 people. That is a better base from which to understand this.

**Senator Marie Sherlock:** What is the Tánaiste's position on the joint labour committee for the retail sector or for the hospitality sector?

**Deputy Leo Varadkar:** There is a process as to how they can be established. That is all set out in law. They are being challenged in the Supreme Court and we will have to see the outcome of that case. I hope it will be that these stand up constitutionally and legally. In that case, we can have more of them.

I would like to see them exist in the meat sector, for example, which is an area of ongoing concern. There are also plans for them in childcare and we have a successful one in construction. Much of this will depend on what happens in the Supreme Court and as to whether these stack up constitutionally.

I believe in the voluntarist system. It is better that we have a system where employers, unions and employees agree to these arrangements rather than having them imposed. If the State were to do anything, I would rather see it raise the floor for everyone rather than for certain sectors and not others. Whether it is the living wage or sick pay, I want to do it for everyone and not different sectors. I do not see why that would not be good public policy.

**Senator Marie Sherlock:** We want it for every sector but some employers are hostile to ever engaging with worker representatives, particularly in the hospitality sector.

Youth unemployment is the single greatest legacy issue arising from the pandemic. There has been no reference to it in the contributions so far. There are no easy answers as to what the Government can do. It has to act, however. We know that last December when the economy opened up, the unemployment rate was at 53% for those aged between 15 and 24 years. There will be no going back to normal for a long time, particularly for young workers. What are the Tánaiste's thoughts on that?

We now have a situation where workers in certain sectors are forced to take unpaid internships in order to get a start in their chosen career. Does the Tánaiste believe this is acceptable?

**Deputy Leo Varadkar:** There are a lot of things there that I could talk about at length but

time is limited.

There can be no doubt that the pandemic has affected different people in different ways. It has affected men differently to women and younger people differently to older people. Older people have borne the brunt in terms of death and illness from the pandemic. Young people have borne the brunt in terms of the economic impact, losing jobs, loss of income and the loss of the opportunities to do the things that younger people want to do which is to meet friends and find a life partner. All those things have been horribly interrupted in the past year.

I do not like the idea of saying men are more affected than women or older people more affected than younger people. When one examines it, different groups are affected in different ways. Even when it comes to gender, men are more likely to have died from Covid and twice as likely to have ended up in ICU. Women have been more adversely affected by domestic violence, mental health issues and the burden of caring. It is absolutely the case that young people have been affected in a particular way. It is an economic way as well as other ways.

The figure around youth unemployment is often misleading. When people hear of 50% or 60% youth unemployment, they think that means that 50% or 60% of all young people are unemployed. That is not the case at all. When somebody is in education or training, they are not counted. The actual youth unemployment rate is 22%. I accept that is very high and is about double the average for the whole population. However, probably the best statistic is the loss of employment. The numbers employed who are young is down about 14%. The numbers employed who are middle aged or older is down about 6%. That would give a more accurate reflection as to what has happened. It is because young people are disproportionately employed in areas like retail, construction and hospitality which are closed. Construction is back open while retail and hospitality will reopen. That will deal with most of the problem but by no means all of it. That is why we need to do more.

As to what we can do, some of it is around better terms and conditions like the move to the living wage. One has to have a job, of course, before one gets that. That is why we need to make sure we do it right. Education and training opportunities are another area. I am proud that we have more people from more diverse backgrounds in third level and further education than ever before in the history of the State. That has been as a result of the great work done by the past two Governments, one of which included the Senator's own party. We need that to continue. These are the angles we will go on. Getting the economy back open is how most people will get their jobs back. That will bring about the biggest fall in youth unemployment, as well as a focus on education and training, and ensuring people have opportunities.

The unpaid internships need to be examined. I have done it myself and I have had unpaid interns, as the Senator might have too. I found it beneficial. There is a big difference, however, between doing something for a few weeks and unpaid labour for an entire year. We probably need some regulation in this area but I have not quite had a chance to examine it yet.

**Deputy Paul Murphy:** On the previous decision made by IDA Ireland to employ a consultant in Israel, does the Tánaiste think that it is still appropriate to go ahead with this, considering the situation facing the Palestinians and the role of the Israeli state in terms of apartheid conditions, pogroms within the borders of Israel, ethnic cleansing in East Jerusalem and bombs raining down on Gaza being responsible for the deaths of over 200 people? At this stage, surely we should not be sending the kind of signal that would be sent by extending IDA Ireland to Israel. Instead, we should be doing the very opposite in terms of the signal that we send internationally.

**Deputy Leo Varadkar:** I understand that IDA Ireland has hired a consultant to assist with its work in Israel. That is not a political decision. It is not one that crossed my desk or I signed off on. IDA Ireland has its own legal authority in these areas. It was done for good reasons because we have a significant trading relationship with Israel.

My general approach to these things is that we should continue to engage with states. Sometimes we have trade boycotts. However, as the Deputy knows himself, there are many states with which we could cut off links that people do not talk about enough. Israel tends to be the focus of campaigns for boycotts around trading links. There are many other countries, however, that have serious questions to answer such as Venezuela, Cuba and even some countries in eastern Europe. For reasons I do not understand, people seem to be silent about these.

**Deputy Paul Murphy:** Right now bombs are raining down on Gaza and children are being-----

**Chairman:** I understand where the Deputy is coming from and I support what he is saying. However, the Tánaiste is here on two different issues. Will the Deputy limit himself to those issues?

**Deputy Paul Murphy:** The Minister for Foreign Affairs has previously stated in written answers to parliamentary questions that IDA Ireland operates under the aegis of the Tánaiste, so he has responsibility here and can make a political statement about whether he agrees with IDA Ireland expanding its operations into Israel at this time.

On Facebook's content moderators, the Tánaiste made the point that non-disclosure agreements, NDAs, cannot be used to prevent workers from speaking up about their working conditions and so on. I agree with that as both a formal legal position and a moral position. However, we heard last week that that is precisely what is happening. The existence of the NDAs, which the workers do not know the exact contents of, is held over them to prevent them from speaking out, talking to unions and so on. Would the Tánaiste agree that NDAs should be published so that everybody can see what is involved and so that there is full transparency?

**Deputy Leo Varadkar:** The workers who have signed the NDAs should be given copies of them. As they are agreements the workers have signed, it would then be up to them to decide whether they want to publish details of them. I would like to see it. There are reasons NDAs exist. They are often good reasons relating to protecting people's privacy and confidentiality. I have worked in jobs in the area of medicine where there were rules around these issues for good reasons. I would not like to think that NDAs are being used to impose a chilling effect on workers or for them to feel that they are silenced and cannot raise concerns about their rights, entitlements and health and safety. The short answer to the question is that I would like to see them but it would not be for them to be published publicly. When an agreement is signed between two parties, it is for them to decide whether to publish them. I would like to see the content.

**Deputy Paul Murphy:** I thank the Tánaiste. A general point that was raised about the conditions facing content moderators was, in effect, the two-tier workforce, with those who work directly for Facebook and have access to proper psychiatric counselling and so on and those who work for various outsourcing companies, such as Covalen and others, who do not have access to that, to wellness coaches and so on. There are two groups of workers who are being treated in discrete ways as a result of being employed in two different ways. Would the Tánaiste agree that all of the workers doing the same work should be brought in-house to Facebook so that they have a direct relationship with Facebook and it can be held responsible for their terms

and conditions and so on?

**Deputy Leo Varadkar:** Not necessarily. It is quite common in business and in the public sector to have core-flex arrangements, with core workers who are needed all the time, then you can flex up or down depending on needs that arise. That is often done through agencies or outsourcing arrangements. That should be their purpose. Their purpose should not be to deny people doing the same work the same standards of protection when it comes to their health and safety and well-being.

**Deputy Paul Murphy:** That is precisely what it has done. I have a final question to give the Minister a chance to clarify an earlier remark he made about Covid deaths. He said that Ireland had the third lowest number of Covid deaths in the EU and mentioned Finland and Denmark as being lower. I checked those statistics and it seems that Cyprus, Malta, Estonia and the Netherlands all have lower rates of death, which still puts us in the lower half, at seventh lowest rather than third lowest.

**Deputy Leo Varadkar:** Where did the Deputy check?

**Deputy Paul Murphy:** I checked *statista.com*.

**Deputy Leo Varadkar:** Word of honour says otherwise but we can check it out. Everyone counts statistics differently, as the Deputy knows.

**Deputy Paul Murphy:** We are tragically in the top 50 countries in the world with regard to the number of deaths.

**Deputy Leo Varadkar:** We record them all. The Deputy will understand that.

**Deputy Paul Murphy:** Sure.

**Deputy Leo Varadkar:** The Deputy will understand that in a country such as India, where my father comes from, people who die from Covid do not get €200 Covid tests.

**Deputy Paul Murphy:** I thank the Tánaiste.

**Chairman:** Before we move on to the second round, I want to raise the issue of Shannon Airport. The announcement yesterday was catastrophic for the reason. The regional balance we talk about will be in tatters if Shannon is not protected. The Tánaiste said that the Minister is meeting with Aer Lingus today. There needs to be a better Government intervention. The Tánaiste said that there was a problem in the regional airports before the pandemic. I understand that 87% of flights were going from Dublin Airport before the pandemic. We all understand where we are with the pandemic but we need a plan when we come out of the pandemic for the regional airports. The Shannon-Heathrow route is crucial for families who live in the mid-west with family abroad and it is also crucial for the foreign direct investment companies that we were lucky enough to attract to the Limerick, Shannon and mid-west region. This cannot just be left to one Minister. I am concerned about the Minister with responsibility for aviation policy. Is his plan not to intervene? I ask the Tánaiste and Taoiseach to personally intervene in this. I cannot emphasise how important that is, especially the Aer Lingus Shannon to Heathrow route.

**Deputy Leo Varadkar:** I will do that. I have met the company in the past couple of weeks. I will get involved again as Minister with responsibility for enterprise. It is part of my responsibility, in my mind, to make sure that we have good business connectivity from the mid-west to Britain, Europe and America. The same goes for Cork and other airports. I will get involved



in this aviation issue and am involved in it already. It would be remiss of me not to point out that Aer Lingus, in its statement, called out our strict travel restrictions as a reason for this base being closed. There are parties in the Dáil which thought we should have much stricter restrictions. I understand that it is still the policy of many parties in the Dáil to have even stricter travel restrictions than we have now.

**Chairman:** I understand that we have a better plan for the economy coming out of the pandemic. We might have dodged that bullet.

**Deputy Louise O'Reilly:** On the issue of connectivity, the Tánaiste may be aware of this, but just in case, the route from Dublin Airport to Los Angeles was lost during the economic crash. We could be here all day talking about how that happened and who is responsible, but it was lost in any event and it took eight years to get it back. The issue of connectivity is centrally connected to the issue of jobs. The Tánaiste and I represent neighbouring constituencies. Dublin Airport is located in my constituency and it is right beside the Taoiseach's constituency. We know how important the aviation jobs are. I echo the issues that were raised today with regard to the need for a plan. There needs to be a real sense of urgency about this because what could be lost in the space of a couple of months could take years to be recovered. There is a genuine fear. It is not just about the jobs, although they are so important, it is also about connectivity. I do not want to go through it but wanted to put it into the Tánaiste's head that when a route is lost, you lose it quickly and get it back really slowly. Anyone involved in aviation could tell you that.

I will go back to the issue of content moderators. The discussion that we are having is interesting and welcome because this is a new type of work. It is hazardous work, a point which was made previously. It is a type of work that just did not exist when I was young. It requires its own set of guidelines. A joint labour committee may be an interesting way to approach it and there may be other ways. Separate to it being something new, exotic and interesting, we have the issue of these non-disclosure agreements. Fionnuala Ní Bhrógáin from the Communication Workers Union, which does brilliant work in this space along with Foxglove, cited the chilling effect that these non-disclosure agreements have. Your boss might give you an agreement, with two minutes to read and sign it, and it might be 80 pages long. You sign it because, quite frankly, you have looked at the news and you see the level of youth unemployment coming at you and you think, Jesus I need this job, so you sign the contract. It is taken from you and then used against you. You do not have a copy of it, but all you know is that you are constantly prevented from raising issues and having that contract held over you. It is used as a tool against workers.

It appears this is not a breach of employment law, and my read of it is that it is not, although employees are entitled to information, but it should be because it is being used against them. Fionnuala Ní Bhrógáin used the phrase "the chilling effect". What that means in practice is that workers are afraid to raise concerns. I fully appreciate that the Health and Safety Authority, HSA, exists, and in the course of my other work I had dealings with the HSA. I know there is voluntarist machinery available that people can use, but the Minister must accept these people exist in an area that is somewhat outside of the normal industrial relations sphere and these agreements are being used to keep the workers in a situation whereby they are afraid to get organised, come together and challenge their employer.

This is linked to the next issue I want to raise with the Minister, which is youth unemployment. We know the people who suffered the most during the economic crash, as in, for the longest, and I am not making a hierarchy of people who were battered by what was done to the economy but in terms of the sustained impact, youth unemployment took the longest to recover.

Is the Minister amenable to working on a cross-party basis to ensure that NDAs can be nullified? We very often do that although people never see it happening. There is a role for NDAs in some very discrete instances, but the indiscriminate use of them as a mechanism to control workers is not good and it should not be happening.

Will there be a dedicated section on youth unemployment in the national economic recovery plan? All of the unemployment that will arise out of the pandemic will be tough to deal with, but we must learn the lesson from the previous crash in that youth unemployment was sustained at a higher rate for longer than in other age groups.

**Deputy Leo Varadkar:** I do not know how the LA route was lost. Deputy O'Reilly might fill me in privately some time. I imagine there is a story to tell there. I do know how it was regained because it was regained when I was Minister for Transport, Tourism and Sport. It was a mixture of the travel tax, route incentives, a growing economy, a marketing budget for Tourism Ireland and fifth freedom rights. I am sure we can get it back with a similar mix when the time comes.

On the non-disclosure agreements, I cannot understand the concept of asking somebody to sign an agreement and then not allowing them to have a copy of it. I will check up on the law in that regard. If it is not illegal, it probably should be. I just do not understand the concept as to why somebody would be asked to sign an agreement and they are somehow supposed to memorise it. Even if you want somebody to adhere to an agreement he or she signs, would it not make sense for that person to have a copy of it so that person can remember what he or she agreed to? There is something very odd and suspicious about people not being able to see an agreement they signed.

**Deputy Louise O'Reilly:** It is exploitation. It is not that hard to understand. It is workers having this used as a tool against them to exploit them. It keeps the union away from them. We could be here all day talking about the right to organise and union recognition, so let us not go down that road. I understand completely what it is that motivates a company to do it. This tool is working very well because the workers were initially terrified of getting organised. Thankfully, now they are working with the union, which is a very good and positive step. The situation is designed to ensure the chilling effect is felt by the workers and the impact of that is they will put their head down, do their work and not raise concerns. We need workers who will raise concerns, especially in this area because of the mental health effects and the hazardous nature of the work they are doing.

**Deputy Leo Varadkar:** I think perhaps we will have some employment legislation coming through in this session to deal with some issues the Deputy will be familiar with on the Zalewski judgment. Perhaps there is an opportunity to make an amendment to employment law in the coming months or this year to make sure employees are entitled to a copy of any agreement they have signed. I do not see who in the House could be against that.

In response to the question on the national economic recovery plan, there will be sections both on youth unemployment also a section on gender equality and how that must be part of the economic recovery as well because there has probably been a widening of gender inequality in an economic sense during the pandemic.

**Senator Ollie Crowe:** I do not think it is appropriate for the Chair of an Oireachtas committee to criticise a senior Minister when he is not at the meeting.

I welcome the Tánaiste's comments on the return of indoor dining in early July. It is vital that happens as soon as it is safe to do so. Will the Tánaiste confirm this will happen if more than 80% of the population have been vaccinated by the end of June?

I will briefly make two other points. In 13 days' time hotels and restaurants with outdoor dining will be back trading, as far as the Tánaiste is aware. When will the Department issue the guidelines for this, because it takes some time to get set up and to organise a range of issues? We need to get the information urgently.

**Deputy Leo Varadkar:** I am sorry but what guideline is the Deputy talking about?

**Senator Ollie Crowe:** The guidelines the Department will issue for the reopening of the hospitality sector on outdoor dining and hotels.

I spoke to the Minister for Public Expenditure and Reform yesterday about the wage subsidy scheme. As a person involved in business myself, I tried to outline how vital it is. I welcome the Tánaiste's positive comments and I would greatly appreciate if he could speak to the Minister for Finance. I will leave it at that.

**Deputy Leo Varadkar:** Unfortunately, I cannot confirm or deny anything about July at this stage, but it is certainly our hope and intention to allow indoor dining to resume, we hope in early July, and some mass events as well. As always, there are four factors. It is not just the vaccines but also case numbers, which seem to be rising a bit again, the situation in hospitals, which is continuing to improve, and then issues concerning variants. We do have a concern about the Indian variant. There is some evidence in the UK of increased transmission and increased hospitalisations as a result of that. We will see how that develops in the coming weeks.

I believe it is Fáilte Ireland that draws up the guidelines on outdoor dining and drinking. It will not be done by us, but we will have an input. I do not have a date for them, unfortunately, but I appreciate that people need to see them soon in order that they can plan ahead. To give the Senator a rough idea, it is going to be seated dining only with 1 m or 1.5 m between tables and no more than six at a table. The six people can come from any number of households. There will be no rule about a maximum of 15. If an establishment has the space, then it has the space. There will not be a requirement to buy a substantial meal. That will be gone. We do not anticipate that there will be a limit on the amount of time people can stay. It will be a lot more practical than what existed before, but that is not finalised yet.

**Senator Ollie Crowe:** I thank the Tánaiste.

**Senator Garret Ahearn:** I wish to follow up on what many speakers said about our meeting last week with Facebook and the contribution from Isabella Plunkett about her experience in recent years working for Facebook. Many of the questions that have been asked today should be asked of Facebook. Chairman, could we invite in Facebook to ask those questions directly because their employment is really a matter between Facebook and the employees? Based on some of what the Tánaiste said in his contribution at the start of the meeting, it will be a difficult meeting with Facebook. It emerged at this morning's meeting of the Joint Committee on Communications, Climate Action and Environment that Twitter plans to take a legal challenge to the online safety laws. That just shows the challenge we have with some social media companies. I do not expect the Tánaiste to comment on the matter, given that the announcement was made only in the past hour. Twitter stated that one of the reasons it is taking the legal challenge is that it will set a precedent across the world, which seems to be a strange argument.

On Shannon Airport, the Tánaiste stated that a number of political parties pushed for stronger measures. I have seen that in my county, Tipperary, where two political parties, and one party leader, pushed for stronger measures, whereas now they are calling for answers in regard to why Aer Lingus has taken this step. Has the Tánaiste spoken to Aer Lingus? Have we got any reassurance regarding the strategic routes, particularly that from Shannon Airport to Heathrow? I think that route is up for review in about one year's time. Have we any reassurances the routes will remain? It is a significant concern for the general public in the mid-west.

On the new scheme the Tánaiste announced this week, namely, the small business assistance scheme, I am surprised it has not been raised more often during the meeting, although my colleague, Deputy Stanton, mentioned it. This is something that the Members of both Houses have been calling for over the past nine months. They have asked whether something could be done for businesses that are not rateable premises. It is very welcome that we are doing it. While it is small money, it will be very significant. I am delighted that it will, I hope, be open for people to apply on Friday or if not then, early next week. Is the grant a straight €4,000 or do businesses have to show what fixed costs they have?

The closing date for the first round was 21 April. I am aware of a number of businesses in County Tipperary - I am sure there are many throughout the country - that did not apply for the first round. They were essentially closed in recent months and, for one reason or another, thought they could not apply until after they began reopening, which occurred after the closing date for applications. Is there any measure the Department provided last summer, such as the restart grant, whereby businesses could apply for the first restart grant when they apply for the new grant? Is there any way in which businesses might be able to apply for the first small business assistance scheme at the same time that they apply for the second one? The closing date was 21 April and if businesses are reopening, it would give those that for whatever reason might not have applied for the first round the opportunity to apply.

**Deputy Leo Varadkar:** I reiterate that the Minister for Transport is meeting representatives from Aer Lingus today and I cannot pre-empt the outcome of that meeting. It is fair to say that while the Minister is very aware of the impact aviation has on the environment in terms of emissions, he is also aware of the essential nature of aviation for an island nation. He is certainly not anti-airline or anything like that.

To my mind, the crucial routes from Shannon Airport are to Heathrow, the east coast of the US and another EU hub. That hub was going to be either Paris or Frankfurt and we got the former, which was great, but then along came the pandemic and we lost pretty much everything. It is a very worrying situation. Again, Ireland is not Australia or New Zealand; it is very different. Airlines do not want to be paid to stay on the ground in Europe. They do not want to be paid to run routes on which there are no passengers. They will just move the aeroplanes, and that is how the single European sky works. Unfortunately, that could happen to us and that is why we will need a large and attractive incentive package to get airlines and their routes back. We can do that only when passengers are allowed and able to travel, and we are just not at that point at the moment for public health reasons.

I am always worried about giving information about grant schemes because there are now so many that I tend to mix them up. My recollection is that it is a straight grant of €4,000. An applicant does not have to demonstrate particular fixed costs. We are not going to ask for insurance bills, utility bills or whatever, but applicants will have to show that their turnover is down 75% or more and that they had a turnover of €50,000 or more, and they have to commit to reopening or staying open.

As for missing the application deadline, to be honest there is not an awful lot we can do about that. People miss application deadlines all the time and we cannot just reopen them all the time. Nevertheless, there are sometimes cases, particularly humanitarian ones, where somebody may have missed the deadline for very good reason, but just not having applied, not thinking it was necessary to apply or not getting around to it would not be enough. We will consider a bit of flexibility in certain circumstances if there are overwhelming compassionate reasons but that is limited.

**Senator Garret Ahearn:** On staff returning to work, a previous speaker mentioned the PUP. It is welcome that there will not be a cliff edge but rather a gradual easing of supports. There has been a change even in the past two weeks. The number of people receiving the PUP in County Tipperary on 4 May was more than 18,000, whereas it has now decreased to 9,000. It has halved already and that is without the hospitality industry having yet reopened.

One issue I have come across with staff and management relates to when people will be returning to work in a normal work environment. Companies are eager to get people back to work but staff are not as eager to return. Businesses seek guidance and the guidance remains that working from home is preferable, but the issue of antigen testing is tied in with that. How can we encourage companies that might not be fully sure about antigen testing to use it or to see it as an option to get staff back to work? Obviously, there are differences of opinion on all sides and that applies to the workplace as well. Some companies will view antigen testing as very positive, while others will be unsure about it. How can the Government encourage companies that are unsure?

**Deputy Leo Varadkar:** We are encouraging workplaces to adopt antigen testing and many workplaces are doing so, such as in retail, construction and manufacturing. Many employers are using it. We issued new guidance on the issue on Friday last to give employers the strength of a Government document, with the harp on it, that gives them guidance on what or what not to do. We always say it should be voluntary and staff should not be required to take an antigen test. It should be done right, using tests approved by the European Commission in particular, and it should be seen only as an additional health and safety measure, not a substitute for getting a PCR test if a person has symptoms. Similarly, it is not a substitute for social distancing, mask-wearing or any of those measures.

I genuinely encourage employers to take this up because if it is viewed as an additional health and safety measure, it will pick up some cases that might otherwise have been missed, and had those cases not been picked up, they might have caused an outbreak. It is in employers' interest to have antigen testing in their workplaces. They can offset it as a business expense against tax and it is not a benefit-in-kind for their employees, so they cannot be taxed on it. It is not a health benefit in that sense but rather a health and safety measure. I re-emphasise that if somebody has symptoms, he or she needs to self-isolate and get a PCR test. Antigen tests are not a substitute for that.

**Senator Róisín Garvey:** I thank the Tánaiste. For someone with so much going on, he is fairly good at answering questions on the hop. I am amazed at some of the questions members ask him.

**Deputy Leo Varadkar:** It causes terrible trouble for my officials and advisers afterwards when they have to go around correcting everything I got wrong.

**Senator Róisín Garvey:** I will try to keep it general. On tradespeople and apprenticeships,



we will need a huge number of tradespeople if we are serious about the move towards building, with Rebuilding Ireland, and retrofitting homes. I worry about the lack of tradespeople. I spoke to a builder recently who informed me that tradespeople are becoming known as “grey sites” because they all have grey hair. I recently visited a school, and not one of the children put up their hand when I asked who wanted to be a tradesperson. We need to do some serious work on this. We need to make apprenticeships more attractive. I wish I had been told to marry a tradesman when I was in school because tradespeople are the ones who keep everything on the road. I do not know whether we need to issue a PR statement or something around the importance of tradesmen. They are literally keeping everything we do together, whether it is buildings, transport or whatever. Where would we be without tradesmen? I do not know whether they are valued as much as they ought to be and I think we need to do something around that. We lost a good few tradespeople in the previous recession. Some of them are in Australia or Canada or such places. It may be time to consider calling them back, as was done for nurses and doctors. We will have a shortage of tradespeople to do the work we want done. We want to get houses built and retrofitted. I ask the Tánaiste to think about that and consider what can be done. The apprenticeship model must include time in college so that even people from rural areas who want to become a tradesperson get time experiencing college life and living away from home and that kind of thing. The job itself has changed in many ways. I am going to move away from apprenticeships and the importance of tradesmen. I should say tradespeople. I have female friends who are carpenters and so on but I was reared saying tradesmen. However, we have to consider tradespeople if we are serious about what we want to do.

An issue I wish to raise with the Tánaiste relates to the public realm and how space is shared, particularly in the context of the food and hospitality sector. There is a need for local authorities to create outdoor spaces, not necessarily outdoor dining but outdoor seating and other outdoor spaces such that if a person wishes to sit down and eat something, whether he or she bought it from a restaurant with seating or a restaurant without seating or whatever, he or she can do so. We really need to consider the public realm. I think that will not be done properly unless there are urban designers or urban architects in local authorities. I mean no offence to road engineers and technicians and quantity surveyors. They are brilliant at their jobs but this task is not part of their profession. We really need to look at that issue because we want to become like the rest of Europe, where it is normal for villages and towns to have beautiful, safe and aesthetically pleasing places to hang out. We get the same amount of rainfall as Copenhagen and Amsterdam. People speak about the weather a lot but it is not as bad as many people think. We need to consider that. It will not work if we do not get proper urban designers. We cannot leave it on the shoulders of people who have been trained as road engineers. That is really important if we want to get outdoor everything right, which we do because, as a nation, we went outdoors and realised it is bloody amazing. It is really important to do that.

**Chairman:** If the Senator wants her questions to be answered, she should bear in mind that she only has one minute left.

**Senator Róisín Garvey:** If we are serious about regional rebalancing and jobs in rural Ireland, the issue of rural broadband must be addressed. I know the Minister for the Environment, Climate and Communications, Deputy Eamon Ryan, wants to try to speed up the roll-out of rural broadband from seven years to five years. I believe that with the help of the Tánaiste, we might get it done even faster than that. It is so important. Even five years seems like a ridiculous amount of time to have to wait. I know it takes time for it to be physically rolled out but I cannot over-emphasise how important it is to get broadband into rural Ireland. I worked from home for the past 14 years. Members would not believe the stress I had. At one stage I

had to hold my laptop above my head. The digital hubs are brilliant and have a significant part to play. Even if one works from home, one needs to go to somewhere to meet people. Digital hubs are amazing and good work has been done on them by the Minister for Rural and Community Development, Deputy Humphreys. If the Minister, Deputy Eamon Ryan, wants to try to speed up the roll-out of rural broadband, the more Ministers who can get involved in making that happen, the better. It is key to everything happening in rural Ireland.

**Chairman:** The Senator's time is up. She has not left any time for the Tánaiste to respond.

**Senator Róisín Garvey:** Damn. Sorry.

**Chairman:** I tried to warn her.

**Senator Róisín Garvey:** Did you? Sorry; I missed that.

**Chairman:** I call Deputy Bruton, who has five minutes. I apologise for the short amount of time allocated to each member. As a result of the pandemic, we have to limit the duration of meetings.

**Deputy Richard Bruton:** I will try to take less than five minutes. There will just be one chance to reset the compass in terms of climate and the circular economy and that is as we start to reopen. In practical terms, will this happen? Will there be audits of enterprise to assess preparedness and setting milestones? Will more people commit to plastic pledges and 2030 climate pledges? How will we drive it on? I will take one example, that of the food sector. It wastes 1 million tonnes of food each year. That is equivalent to 3 million tonnes of carbon. That is one year of the ten-year reduction if we could get cracking on that. Two thirds of the plastic used is not recyclable. We could really strengthen Origin Green by having better sourcing and identification of the way production is happening. How is it going to be driven on in practice?

**Deputy Leo Varadkar:** That is a good question. It is something I would like to discuss in more detail with the Deputy because I have been having those thoughts myself. One small thing we are doing now is we have opened up the green enterprise fund which the Deputy has probably heard about. It is approximately €10 million that will fund businesses to do exactly the things he mentioned, such as audits of their energy use, waste and kind of how they operate, in order to reduce waste, energy use and emissions. That is only a drop in the ocean and a small start because industry accounts for 13% of all emissions and we need to cut them basically by half while still expanding and employing more people. That is an enormous challenge and probably an issue to which the committee could devote a whole session. Is that a lazy answer?

**Deputy Richard Bruton:** I am happy to get involved in any such discussions. It is not just about looking at energy and waste. The reality is the choice of materials in construction, for example, can have a significant impact in terms of whether they lock up carbon or generate carbon emissions. There is a need for micro-thinking to start happening at sectoral level within the agencies that are in charge of them. I will leave it at that.

**Deputy Leo Varadkar:** The Deputy's advice is very welcome on this area. We decided on 51% and we mean it but, therefore, industry has to make its contribution and that is going to be a real challenge.

**Chairman:** As there are three minutes remaining, I will bring in Deputy Stanton.

**Deputy David Stanton:** I thank the Chairman. I will be very brief. I assume that all members are getting emails from constituents - I certainly am - who are concerned about the emergency legislation that is to be renewed again on 9 June. They are calling for reviews of this and so forth. We are moving out of restrictions and lockdown thanks to the work of all involved. I am wondering whether the Emergency Measures in the Public Interest (Covid-19) Act 2020 will be renewed on 9 June as scheduled. That has an impact on employment, jobs and so forth.

The other thing that has been missing all along is the issue of interpretation. A query was received yesterday about whether drive-in cinemas are allowed at the moment. To me, drive-in cinemas are quite safe. One sits in one's car looking at the big screen and not interacting with anyone. However, the Garda has interpreted them as not being possible under the current restrictions. We need to have a debate about how we move forward from here and open up the economy, especially under the various pieces of emergency legislation that were passed by the Houses and that all members want to see rescinded as soon as possible. That is a very broad issue, but it is a very fundamental and important one.

**Deputy Leo Varadkar:** The sooner we can repeal that legislation, the better, in my view. If the Deputy had told me two years ago that we would live in a country where it was illegal to leave or enter the State for non-essential reasons, that one could not have visitors to one's house or could not meet outside with more than 15 people, I would have thought he was absolutely bonkers. What has happened in the past year or two is unprecedented. We overuse that term but what has happened in the past year really is unprecedented. We want to go to a new normal and build back better, as people say, but one thing I definitely do not want to keep on the Statute Book for any longer than is necessary is this draconian legislation. Unfortunately, it is still necessary. We are not out of the woods yet and that is why we will have to extend it. There will be proper debate on that in the Dáil and I encourage Deputies to speak freely on this issue. They should not feel that they are against public health or something if they raise these concerns. Civil liberties matter. Concerns about civil liberties have almost disappeared in the past year or so and that bothers me.

**Chairman:** That concludes our consideration of these matters. I thank all present, especially the Tánaiste and Minister for Enterprise, Trade and Employment, Deputy Varadkar, for assisting the committee in its consideration of the matter. His attendance is much appreciated. The meeting is now adjourned. I thank everyone for participating in the meeting under these difficult circumstances resulting from Covid-19.

The joint committee adjourned at 11.30 a.m. *sine die*.