RESEARCH SERIES

Monitoring Decent Work in Ireland

Frances McGinnity,
Helen Russell,
Ivan Privalko &
Shannen Enright

Coimisiún na hÉireann um Chearta an Duine agus Comhionannas
Irish Human Rights and Equality Commission

ESRI ECONOMIC & SOCIAL RESEARCH INSTITUTE

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FOREWORD

The Irish Human Rights and Equality Commission ('IHREC') believes that the advancement of socioeconomic rights plays a fundamental role in the creation of a more just, inclusive and sustainable society. It is vital that we understand the current state of these rights for everyone living in Ireland as well as for particular groups; and that we are able to monitor progression – and regression – of these rights. By providing a baseline measurement framework across key dimensions of employment, *Monitoring Decent Work in Ireland* represents an important contribution to the evidence base on the right to decent work in today's Ireland.

Employers in Ireland have obligations in relation to equality and human rights and these are set out under a number of Acts and Codes of Practice – most notably, The Employment Equality Acts 1998-2015, Section 42 of the IHREC Act 2014 (Public Sector Equality and Human Rights Duty), The Disability Act 2005 and the Code of Practice on Sexual Harassment and Harassment (2012). International treaties such as the International Covenant on Economic, Social and Cultural rights and the European Social Charter provide international standards of what constitutes 'decent work'.

This report identifies and selects a suite of relevant dimensions and associated indicators to appraise the right to decent work in Ireland. While socioeconomic rights such as the right to decent work are universal, and apply to all working age adults, it is also essential to capture the different experience of particular groups in Irish society – those who are at risk of being 'left behind' in the labour market. Of particular importance is the diversity of experience according to equality grounds protected under the Equal Status Acts 2000-2018.

Laws and policies relating to economic and social rights contribute significantly to society, but they may be designed or implemented in a way which fails to adequately provide for particular groups or sectors. Effective and targeted monitoring is essential not only for ensuring accountability, so that these laws and policies do not overlook or perpetuate deprivations of economic and social rights, but to make economic and social rights meaningful and tangible.

This research identifies six dimensions of decent work. The data presented clearly show how there are many groups overlooked and under-served in the Irish labour market including women, lone parents, young people, migrants, ethnic minorities including Travellers, and disabled persons. These groups are more likely to face restrictions in accessing the labour market, face barriers in occupational attainment, are more likely to have lower pay, lower security and stability in work, and are more exposed to work-related discrimination. The

findings also examine the role of ‘employee voice’ in decent work, highlighting the relatively low trade union or staff association membership and coverage in Ireland. Despite the fact that the Irish Constitution confers the right of freedom of association to join a trade union, trade unions currently have no legislative right to be recognised in the workplace for collective bargaining.

A key learning from this report is that in order to adequately monitor socioeconomic rights in Ireland, there is an urgent need for robust and widespread disaggregated data in order to interrogate the State on equality in Ireland. Disaggregated equality data can, in essence, expose inequalities – which is the first step in understanding the problems that need to be tackled. Furthermore, disaggregated data can also expose the intersectional and overlapping patterns of exclusion – all of which is essential if we are to ensure everyone’s right to decent work in Ireland.

While the findings presented in this report pertain to a pre-pandemic ‘baseline’ state of the labour market, the learnings are essential as we move into a post-pandemic recovery. We need urgently to reappraise how we achieve decent work following the pandemic. This report highlights that particular attention must be paid to: access to work, adequate earnings, employee voice, security and stability of work, equality of opportunity for and treatment in work, and health and safety as well as work/life balance for all workers and their families.

I would like to thank the lead author Dr Frances McGinnity and her team in carrying out this important report. It is the ninth report to be published through the IHREC/ESRI Irish Human Rights and Equality Research Programme. These reports have cumulatively enriched our understanding of human rights and equality in Ireland.

Sinéad Gibney

Chief Commissioner, Irish Human Rights and Equality Commission

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Special thanks to statisticians from CSO – Jim Dalton assisted with the Labour Force Survey with efficiency and good humour: Eva O'Regan and Maureen Delamere also assisted. A large number of people from a wide range of organisations attended a stakeholder engagement event on indicators of decent work, and we thank them for giving their time. We wish to thank Anna de Courcy for copyediting the report and Sarah Burns for managing its publication.

TABLE OF CONTENTS

GLOSSARY VII

EXECUTIVE SUMMARY IX

CHAPTER 1 INTRODUCTION 1

1.1 Why develop a Monitor for decent work? 1
1.2 The right to decent work in international standards 3
1.3 Equality and non-discrimination in Irish law 6
1.4 Monitoring decent work: How and what to measure 7
1.5 Challenges and trade-offs in monitoring decent work 12
1.6 Context for decent work in Ireland 15

CHAPTER 2 DECENT WORK: DIMENSIONS AND INDICATORS 19

2.1 The engagement process for decent work 19
2.2 Dimensions of decent work and indicators selected 21
2.3 Evidence base for indicators: Data sources used 29
2.4 Defining equality groups 33
2.5 Analytical approach 37

CHAPTER 3 ACCESS TO WORK 41

3.1 Analytical approach 43
3.2 Employment 45
3.3 Unemployment 51
3.4 Occupational attainment 56
3.5 Changes over time in employment rates 58
3.6 Summary of findings 62
3.7 Data recommendations 64

CHAPTER 4 ADEQUATE EARNINGS 65

4.1 Analytical approach 66
4.2 Hourly low pay 68
4.3 Weekly low pay 71
4.4 Summary of findings 74
4.5 Data recommendations 75

CHAPTER 5 EMPLOYEE VOICE 77
5.1 Analytical approach 79
5.2 Group differences in union or staff association membership 79
5.3 Job control and group differences in job control 85
5.4 Summary of findings 88
5.5 Data recomendations 90
CHAPTER 6 SECURITY AND STABILITY OF WORK 91
6.1 Analytical approach 92
6.2 Temporary work 93
6.3 Summary of findings 97
6.4 Data recommendations 98
CHAPTER 7 EQUALITY OF OPPORTUNITY FOR AND TREATMENT IN EMPLOYMENT 101
7.1 Analytical approach 102
7.2 Experiences of discrimination in the workplace 104
7.3 Experiences of discrimination seeking work 107
7.4 Summary of findings 109
7.5 Data recommendations 110
CHAPTER 8 HEALTH AND SAFETY 111
8.1 Analytical approach 112
8.2 Work-related illness rates 113
8.3 Work-related injury rates 115
8.4 Summary of findings 117
8.5 Data recommendations 118
CHAPTER 9 CONCLUSION 119
9.1 Developing an approach to monitoring decent work in Ireland 119
9.2 Decent work in Ireland and for whom? 120
9.3 The challenge of the COVID-19 pandemic 126
9.4 Strengths and limitations of the study 127
9.5 Relevant data gaps and their implications 130
REFERENCES 135

APPENDIX 1 DECENT WORK INTERNATIONAL INSTRUMENTS 153

APPENDIX 2 ENGAGEMENT EVENT (CONSULTATION)..157

APPENDIX 3 GROUP PERCENTAGES IN THE MAIN SURVEY DATASETS USED......................161

LIST OF TABLES

Table 2.1 Outline of dimensions, indicators and data sources 30

Table 2.2 Breakdown of groups measured across data sources.......................................35

Table A1.1 Dimensions of decent work international reporting table.............................153

Table A2.1 Task One results...157

Table A2.2 Task Two results 158

Table A2.3 List of consultation participants and organisations 160

Table A3.1 Breakdown of group percentages in the LFS, LFS accident and illness modules, SILC, and EWCS (employed aged 18-64)...161

LIST OF FIGURES

Figure 1.1 Modified GNI* and employment rates, Ireland (1995-2019)............................16
Figure 3.1 Group differences in employment rates (LFS Q1-Q4 2019)..............................46
Figure 3.2 Group differences in employment rates (CSO 2016) 49
Figure 3.3 Group differences in unemployment rates (LFS Q1-Q4 2019)..........................52
Figure 3.4 Group differences in unemployment rates (CSO 2016)....................................55
Figure 3.5 Group differences in occupational attainment (LFS Q1-Q4 2019)....................56
Figure 3.6 Gender and age differences in employment between 2014 and 2019 (LFS 2014 Q1-Q4, and 2019 Q1-Q4) 59
Figure 3.7 Country of birth differences in employment between 2014 and 2019 (LFS 2014 Q1-Q4, and 2019 Q1-Q4) 60
Figure 3.8 Family differences in employment between 2014 and 2019 (LFS 2014 Q1-Q4, and 2019 Q1-Q2)..61
Figure 3.9 Differences in employment by educational qualification between 2014 and 2019 (LFS 2014 Q1-Q4, and 2019 Q1-Q2) 62
Figure 4.1 Group differences in hourly Low pay (SILC 2018 and 2019 combined)...69
Figure 4.2 Group differences in weekly low pay (SILC 2018 and 2019 combined)...73
Figure 5.1 Group differences in union and staff association membership rates (LFS 2019, Q1-Q4)...82
Figure 5.2 Country differences in union Coverage and union Density rates (ICTWSS, 2017) 85
Figure 5.3 Group differences in full control over job tasks (EWCS 2015) 86
Figure 6.1 Group differences in temporary work rates (LFS 2019, Q1-Q4) 95
Figure 7.1 Group differences in perceived discrimination at work (GHS 2019)...............106
Figure 7.2 Group differences in perceived discrimination looking for work (GHS 2019)..108
Figure 8.1 Group differences in work-related illness rates (LFS 2017-2018)...................115
Figure 8.2 Group differences in work-related injury rates (LFS 2018) 116

GLOSSARY

CEDAW	Committee on the Elimination of Discrimination Against Women
CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
CRPD	Convention on the Rights of Persons with Disabilities
CSO	Central Statistics Office
EHRC	Equality and Human Rights Commission (UK)
ESC	European Social Charter
EWCS	European Working Conditions Survey
GC	General Comment
ICESCR	International Covenant on Economic Social and Cultural Rights
ICTU	Irish Congress of Trade Unions
ILO	International Labour Organisation
LFS	Labour Force Survey
OECD	Organisation for Economic Co-operation and Development
SILC	Survey of Income and Living Conditions

EXECUTIVE SUMMARY

Summary of Findings

INTRODUCTION

Work is core to people's livelihood, their identity, and their well-being. Having a decent job gives workers adequate financial resources and contributes to their physical and mental health, their personal control and sense of purpose. Being unemployed or in poor quality work can have a damaging impact on other areas of life, including health, housing, or income. There has been extensive scholarship on labour market inequalities in Ireland, and while these studies offer significant insight into understanding the nature of work, they do not adopt a rights-based approach. This report considers decent work in Ireland in the context of international obligations about core minimum standards of work and non-discrimination. It applies social science methods to monitoring international commitments on economic and social rights.

This report develops a set of indicators for monitoring and then provides baseline figures on access to, and experience of, decent work across different groups in Ireland. Monitoring can provide evidence for policymakers, highlighting at-risk groups; it can inform the assessment of Ireland by UN international treaty monitoring; it can help to highlight data gaps and measurement limitations; and will also ideally inform public debate. The purpose is to highlight deficits or challenges in realising the right to decent work, rather than explaining the processes underlying these outcomes.

Following a review of international measurement frameworks and consultation with stakeholders in Ireland, the report identifies six key dimensions of work and corresponding indicators: access to work; adequate earnings; employee voice; security and stability of work; equality of opportunity and treatment in employment; and health and safety. These are then applied to available survey data collected on the eve of the pandemic. Any assessment of the equality impact of the pandemic will be informed by understanding the situation prior to the pandemic. As is usual for a monitor, results for each indicator are

presented as rates or scores for different groups and are not modelled. Therefore, the analysis does not allow us to identify the causes of group differences.

DECENT WORK: KEY FINDINGS

In 2019 the Irish labour market was showing signs of continued recovery. The working-age employment rate, using the International Labour Office definition, was high (73 per cent of respondents) and the unemployment rate, at 5 per cent, was low. Younger respondents (18-24), lone parents, and migrants from outside the EU experienced significantly lower rates of employment than older respondents and EU-born. Those of working age with a disability had particularly low employment rates – less than half of them were employed. Women also had lower rates of employment in 2019 (68 per cent) than men (79 per cent), though their unemployment rates were similar to men (5 per cent). Unemployment rates were high among younger adults (18-24), those living with parents and those with a disability. Considering employment rates by religion and ethnicity using Census data on principal economic status, Muslim and Black respondents record very low employment and high unemployment rates relative to others, though unemployment rates among Irish Travellers are highest of all the groups measured.

Occupational attainment analysis showed that young respondents, those with a disability and Eastern European migrants were all less likely to work in high-skilled jobs. Over a period of labour market growth (2014-2019), a striking finding is that while group differences were maintained, employment rates grew for all the groups considered. This underscores the importance of the availability of jobs and growth in the labour market for different groups' ability to realise the right to work.

Low hourly wages and low weekly pay (less than two-thirds of the median) are used to measure earnings. A number of groups have significantly higher risks on both measures; young people (aged 18-24), migrants from Eastern Europe, lone parents, and those with low educational attainment. Others, such as women, have lower weekly pay as they work fewer hours, but not low hourly pay. Low pay among Eastern European migrants is consistent with lower occupational attainment; in the case of young people, a low level of previous work experience is likely to be a key factor.

Regarding security and stability of work, we found that younger age groups report higher rates of temporary work. However, we note that further work could usefully be conducted on the prevalence of zero-hour contracts, as well as 'if and when' contracts. More generally, there is a substantial data gap in capturing workers in the informal economy and those at the margins of the labour market, who are potentially most vulnerable, as well as challenges in measuring unpaid work.

There is evidence of group differences in the experience of work-related discrimination. Specifically, women, ethnic minority respondents, those with a disability, non-Irish nationals, and non-Catholics all report higher rates of discrimination in the workplace. Research using earlier data also found higher reported experiences of discrimination seeking work among multiple groups, including religious minorities, ethnic minorities, Irish Travellers, older workers, and those with a disability.

In terms of opportunities for workers in Ireland to be represented, overall, trade union or staff association membership in Ireland is lower than in many EU countries (at 26 per cent), though a higher proportion of workers are covered by trade union agreements (34 per cent). Women report higher rates of trade union membership when compared to men; EU migrants report lower trade union membership than Irish-born, and those without a third-level education report lower trade union membership than those with a third-level education. Job control is less concerned with representation but rather how much control workers they feel they have over the tasks, timing, and pace of their job. Self-reported control is generally high in Ireland (57 per cent of workers report full control over their tasks, timing, and pace of work). However, younger people report lower job control than older workers, and women report lower job control than men. Regarding occupational health and safety, we find that work-related illnesses are uncommon overall, but may be more likely for respondents with a disability. Work-related injury is also uncommon but disproportionately affects men and respondents without a third-level education, which is likely to reflect sectoral and occupational differences between workers.

A number of national equality strategies address access to work for groups such as migrants,[1] lone parents[2] LGBTI+,[3] Roma and Travellers.[4] The continuing presence of significant differences in many aspects of decent work between groups highlights the importance of incorporating not only access to work but quality of work into the national equality strategies. These could be expanded to include aspects of decent work such as adequate earnings, employee voice, security and stability of work, and health and safety.

FUTURE DATA COLLECTION

What gets measured gets monitored and what gets counted counts, so issues such as measurement, the evidence base and how robust this evidence is are crucial. The Labour Force Survey is a key resource for labour market research in Ireland. For indicators that it measures and groups that it distinguishes, it is excellently suited to monitoring decent work in Ireland.

Yet there is a lack of data on working conditions in Ireland for sufficiently large samples to allow disaggregation, in particular on measures like job control, job satisfaction, work pressure and flexibility, and work-life conflict. One solution would be to include more job quality indicators in the Labour Force Survey, given the frequency and sample size. This could be done potentially on a 'rolling basis', or a special module of the LFS, supplemented with periodic workplace surveys like those conducted in the UK.

Ethnicity remains rarely measured in Ireland, in either surveys or administrative data. By using Census data this report has clearly demonstrated extremely poor labour market outcomes for Irish Travellers and other ethnic and religious minorities, but these groups only feature in Chapter 3 (access to work), as they are not identified in the other data used. An important exception is the equality module on the experience of discrimination. This survey offers considerable potential, but the small sample size of the latest (2019) equality

1 Actions 40, 41, 42 and 44, *Migrant Integration Strategy*.
2 Action 1.13 *National Strategy for Women and Girls 2017-2020.*
3 Action 2.1, 2.3, 2.7, 2.11 *National LGBTI+ Inclusion Strategy 2019-2021.*
4 Action 24, 25, 28, 36, 107 *National Traveller and Roma Inclusion Strategy 2017-2021.*

module severely limits its use for the same vulnerable groups whose experience it seeks to record.

In terms of accurately measuring time spent on unpaid work, such as caring and housework, time-use surveys represent the gold standard. Time-use studies in Europe and other OECD countries have been instrumental in progressing knowledge of non-market activities, but Ireland does not field a national time-use survey, so measuring and valuing unpaid work is very challenging.

CHAPTER 1

Introduction

1.1 WHY DEVELOP A MONITOR FOR DECENT WORK?

Paid work is important for many reasons. It provides a source of income, it facilitates financial independence, allows people to contribute to society, confers social standing, a sense of identity, and – if adequately rewarded – allows people to avoid poverty and social exclusion. However, decent work is not accessible to all workers. Some jobs do not confer equality of opportunity, income security, safety, security, or voice to workers. Some jobseekers have no job at all.

In its Strategy Statement 2019-2021, the Irish Human Rights and Equality Commission – which has commissioned this study – notes that the adoption and application of economic, social, and cultural rights play a fundamental role in the creation of a more just, inclusive, and sustainable society. In its strategy, the Commission commits to advancing socio-economic rights and the social protection of all families and individuals with a particular focus on three thematic areas – housing, health, and **decent work**. The core objective of this report is to develop an approach for monitoring the right to decent work in Ireland, and to assess to what extent the right to decent work is being fulfilled for different groups. A second report, which considers the right to adequate housing in Ireland, will follow this one.

This report uses data from prior to the pandemic to examine group differences in access to decent work. Any assessment of the equality impact of the pandemic will be informed by understanding the situation prior to the pandemic. A baseline of the kind provided by this report is crucial, otherwise inequalities which are structural or long-term in origin could end up being attributed to the pandemic, leading to misguided policy effort.

Human rights monitoring is a rapidly developing area of international research which analyses information and data to assess progress (or lack of progress) in the protection,

promotion and fulfilment of equality and human rights over time,[5] including in socio-economic rights such as the right to decent work. There has been extensive scholarship on labour market inequalities in Ireland (Barrett et al., 2000; O'Riain, 2014; O'Connell, 2016; Russell et al., 2017; McGinnity et al., 2018a; Bobek and Wickham, 2018; Redmond et al., 2018; Doris, 2019), and while these studies offer significant insight into understanding the nature of work, they are less focused on human rights considerations. Therefore, this report seeks to address this gap and provide a rights-based approach to understanding labour market outcomes and inequality.

There are a number of benefits to monitoring the right to decent work in Ireland. Monitoring can help to hold the State – including public bodies and organisations with statutory responsibilities – to account, by informing the assessment of UN international treaty monitoring bodies or the Council of Europe as to whether Ireland is complying with its international commitments. It also provides evidence for policymakers and others in identifying gaps in legislation or policy in the realisation of socioeconomic rights. It can help to highlight data gaps and measurement limitations, and can contribute to filling these gaps with available evidence, and develop opportunities for capturing disaggregated data. Above all, developing and applying a monitoring framework for the right to decent work will help to promote and inform a broader understanding of socio-economic rights in Ireland, and contribute to public debate.

While socio-economic rights are universal and apply to everyone, monitoring may be a particularly important exercise in understanding the experience of marginalised groups in Irish society, or groups that are at risk of being 'left behind'. These include, for example, those protected under equality legislation such as persons with a disability, lone parents, women, and persons from ethnic minority backgrounds including Irish Travellers. In this way, monitoring the fulfilment of socioeconomic rights can help build a picture of what access to, and experience of, decent work in Ireland might look like across different groups.

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[5] The Equality and Human Rights Commission 2017 *Measurement Framework for Equality and Human Rights Executive Summary* https://www.equalityhumanrights.com/sites/default/files/measurement-framework-executive-summary.pdf.

The report will seek to identify a set of relevant dimensions (or themes) and indicators to appraise decent work in Ireland. This monitoring instrument is designed to be broad in scope, to capture different aspects of work. This means that there is no space for an in-depth analysis of particular aspects of work. Selected, in-depth studies are referenced in the relevant chapters, as are opportunities for further research. This instrument is also designed to be meaningful for a general audience, to allow for effective communication of the findings. Opting for multiple simple, accessible 'headline' indicators means there is no statistical modelling in this report. As such, it is similar to international monitoring exercises (e.g. ILO, 2009; OECD, 2017) and national reports such as *Monitoring Report on Integration* series (e.g. McGinnity et al., 2020b), or the *Social Inclusion Monitors* (DEASP, 2019), and it aims to highlight deficits or challenges in realising the right to decent work, rather than explaining the processes underlying these outcomes.

This chapter first discusses the right to work in international standards and considers what it means to have 'decent work' (Section 1.2), and then briefly discusses equality legislation in Ireland (Section 1.3). Section 1.4 considers exactly how to measure decent work by reviewing some key international measurement frameworks. Section 1.5 reflects on some trade-offs and challenges in monitoring decent work and strategies to address these. Finally, Section 1.6 reflects on the labour market context in Ireland for decent work – both pre-COVID-19 trends and more recently during the COVID-19 pandemic.

1.2 THE RIGHT TO DECENT WORK IN INTERNATIONAL STANDARDS

Ireland has ratified seven of the nine core United Nations (UN) human rights treaties, including the International Covenant on Economic, Social, and Cultural Rights (ICESCR). As Ireland has a dualist legal system by virtue of Article 29.6 of the Constitution of Ireland, this means that international agreements are not part of domestic law unless made so by the Houses of the Oireachtas.[6] However, the State recognises that under these international obligations, governments are primarily responsible both for creating the conditions in which rights can be realised and for ensuring that rights are not violated.

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[6] https://www.ihrec.ie/your-rights/human-rights-law-ireland/

The right to work – and workers' rights more generally – is prominent in the Covenant. Article 6 of ICESCR states that State parties must guarantee equal access to employment and protect workers from being unfairly deprived of employment. They must prevent discrimination in the workplace and ensure access to employment for disadvantaged groups.[7] Article 7 of ICESCR sets out the right to just and favourable conditions of work, which are defined as fair wages with equal pay for equal work – sufficient to provide a decent living for workers and their dependants; safe and healthy working conditions; equal opportunity in the workplace; and sufficient rest and leisure, including limited working hours and regular, paid holidays. Article 8 recognises the right of workers to form, join, and take action as part of a trade union, and protects the right to strike. The UN Committee on Economic, Social and Cultural Rights (CESCR), the body monitoring the implementation of the treaty, has stated that Articles 6, 7 and 8 are interdependent (i.e. one right cannot be fully enjoyed without the other).[8] Furthermore, ICESCR promotes 'ongoing statutory and alternative monitoring of the Covenant' (Part 4 of ICESCR) and is committed to tracking change and the impact of socioeconomic rights over time. (These articles are reproduced in Appendix 1).

The Committee on Economic, Social and Cultural Rights has described the right to work as follows:

> *Work as specified in article 6 of the Covenant must be decent work. This is work that respects the fundamental rights of the human person as well as the rights of workers in terms of conditions of work, safety, and remuneration. It also provides an income allowing workers to support themselves and their families as highlighted in article 7 of the Covenant. These fundamental rights also include respect for the physical and mental integrity of the worker in the exercise of his/her employment.*[9]

As set out in Article 2 (1), of the International Covenant on Economic, Social and Cultural Rights (ICESCR), the obligation is on States to 'take steps... to the maximum of its available

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[7] ICESCR General Comment, para 5.
[8] ICESCR, General Comment 18, para 8.
[9] CESCR General Comment 18 para 7.

resources, with a view to achieving progressively the full realisation of the rights recognised in the present Covenant by all appropriate means'. This requirement to 'take steps' is known as 'progressive realisation'. It imposes a responsibility on States to work towards the realisation of socio-economic rights, including the right to work, adequate housing, health, and an adequate standard of living. This principle is also designed to deliberately rule out retrogressive measures which impede that goal (duty of non-retrogression).

Monitoring can provide a general sense of the direction of travel for indicators of decent work though it will not necessarily identify the source of this change. Non-retrogression may be particularly pertinent in the context of the COVID-19 pandemic-induced recession, and policy decisions in the coming period.

While the Covenant provides for progressive realisation and acknowledges the constraints that States face due to limited resources, it does impose obligations to guarantee minimum essential levels of each of the rights with immediate effect, known as 'minimum core obligations'. A State in which a significant number of individuals are deprived of essential foodstuffs, essential primary care, basic shelter and housing is failing to discharge its obligations. That said, a number of commentators have pointed out that the meaning of 'maximum available resources' for progressive realisation is ambiguous, as it is very difficult to assess the extent of State spending on any given socio-economic right, as well as the resources available to the State (Nolan, 2015; Schutter, 2018).

Another key minimum core obligation arising from ICESCR is the 'undertaking to guarantee' that relevant socio-economic rights 'will be exercised without discrimination…'. Other UN instruments that Ireland has ratified focus on equal rights for certain groups such as women (Convention on the Elimination of Discrimination against Women (CEDAW)), those with disabilities (Convention of the Rights of Persons with Disabilities (CRPD)) and racial minorities (Convention on the Elimination of All Forms of Racial Discrimination (CERD)) (see online appendix for details of the relevant articles of these treaties).[10]

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[10] Ireland has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), or the International Convention for the Protection of all Persons from Enforced Disappearance (ICPPED).

Ireland has also ratified the European Social Charter, a Treaty drafted by the Council of Europe[11] to guarantee the enjoyment of fundamental social and economic rights, including in relation to employment. Details of individual articles are also presented in the online appendix. The charter requires that enjoyment of these rights be guaranteed without discrimination. The European Committee of Social Rights examines the country reports and decides whether or not the situation in Ireland conforms with the charter.[12]

The Charter of Fundamental Rights of the EU (2000) codifies human rights law within the European Union. Article 21 of this charter sets out the prohibition of discrimination. The charter applies to Member States of the EU in situations within the scope of EU law including EU anti-discrimination Directives underpinning Irish equality legislation.

Finally, while many of these international treaties impose obligations on states, there are many other actors in a society who will determine the level of enjoyment of socio-economic rights such as decent work. These include, for example, employers, financial organisations, or international organisations such as the European Commission – or even families and communities.

1.3 EQUALITY AND NON-DISCRIMINATION IN IRISH LAW

In Ireland, legal protection against employment-related discrimination is provided for by the Employment Equality Acts 1998-2015.[13] Under these Acts, discrimination is deemed to occur when a person is treated less favourably than another person is, has been, or would be treated in a comparable situation on the grounds of gender, civil status, family status, age, disability, race, sexual orientation, religious belief, and membership of the Traveller community.[14] Discrimination on the ground of race is described as discrimination on the

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11 The Council of Europe is an international organisation whose stated aim is to uphold human rights, democracy, and the rule of law in Europe.

12 Ireland ratified the European Social Charter in 1964 and the Revised European Social Charter in 2000.

13 See https://www.ihrec.ie/guides-and-tools/human-rights-and-equality-for-employers/what-does-the-law-say/eea-summary/ for further details.

14 Employment Equality Act 1998, as amended, s 6(1). The Equal Status Acts 2000-2015 prohibit discrimination in the provision of goods and services, accommodation, and access to education. These Acts cover these nine grounds and, in addition, the Acts prohibit discrimination in the provision of accommodation services against people who are in receipt of rent supplement, housing assistance, or social welfare payments.

basis of being of different race, colour, nationality or ethnic or national origin.[15] The Acts address both direct and indirect discrimination: direct discrimination occurs when a person is treated less favourably than another person in the same situation or circumstances under any of the nine grounds covered in the Acts; indirect discrimination refers to practices or policies that do not appear on the face of it to be discriminatory but have a discriminatory impact.

The Employment Equality Acts 1998-2015 aim to ensure equality of opportunity in relation to employment. The Acts prohibit discrimination in relation to accessing employment, working conditions, training in the workplace, harassment, promotion, as well as other employment-related areas. A person who believes they have been discriminated against may seek redress via the Workplace Relations Commission and on appeal, to the Labour Court.[16]

1.4 MONITORING DECENT WORK: HOW AND WHAT TO MEASURE

The first step in developing this baseline instrument to measure decent work was to review a number of key prominent international measurement instruments. The ILO (2009) Framework on the Measurement of Decent Work is the core standard framework adopted, because it reflects the work of the dominant international UN institution that has a central objective of evaluating social and economic progress and quality of life. Similar concerns to those outlined in ICESCR and the work of its monitoring Committee (CESCR) are reflected in the International Labour Organisation (ILO) definition of decent work:

> *...opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men.*

[15] Employment Equality Act 1998, as amended, s 6(2)(h).

[16] Employment Equality Act 1998, as amended, s 83. Prior to 2015, employment-related discrimination claims were made to the Equality Tribunal.

Rather than relying on a single framework, other well-established frameworks are used to inform the process of adapting and enhancing this instrument to the Irish context, both in terms of dimensions of work, indicators used, and identifying gaps and limitations in the ILO framework.[17] These are prominent in literature on work, but they are also selected for their different emphases which reflect the breadth of relevant dimensions of decent work. Some frameworks adopt an economic perspective in their analysis while others have more of a sociological or human rights point of view; some value ‘objective’ indicators, rather than workers’ own assessment of their job; some focus only the quality of jobs, rather than who is excluded from employment altogether; some combine indicators to an index or indices of decent work, and some frameworks have been more influential in terms of research and public policymaking.[18] These frameworks build on a sound and well-established evidence base, and have much to contribute to the development of a monitoring framework for decent work in Ireland.

These different emphases in the international frameworks about what constitutes a ‘decent job’ have parallels in the academic literature on the ‘quality of work’, which, as Burchell et al. (2014) note, is built on strong theoretical foundations and a large body of empirical literature (for example Kalleberg and Vaisey, 2005; Gallie, 2007). In the academic literature no consensus exists either on what constitutes a ‘good job’, aside perhaps the agreement that it is necessary to go beyond pay as an indicator of job quality, which is a reliable and widely used – though limited – indicator. There is perhaps more of a consensus on what constitutes a poor-quality job (Kalleberg, 2011).

The international measurement frameworks considered also have different levels of inclusion of macro or ‘country level’ labour market indicators compared to information about individuals. As disaggregation of different population groups is a key principle of this study, the outcome indicators need to be at individual level, though some macro level indicators such as collective bargaining coverage will supplement the discussion. Another point to note is that most of these international frameworks (with the exception of the

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[17] These are: the ETUI European Job Quality Index; the United Nations Economic Commission for Europe Indicators for the Measurement of Quality of Employment; the OECD Job Quality Framework; the European Foundation for the Improvement of Living and Work Conditions Job Quality Indices and the EHRC Measurement Framework for Equality and Human Rights.

[18] On the final point, see the discussion in Burchell et al., 2014.

EHRC Measurement Framework) are typically designed for comparing employment between different countries. This is not the purpose of this study, which is designed to measure the achievement of decent work in Ireland. Comparative analysis of labour market indicators is already conducted by international organisations, such as the OECD, the European Foundation on Working and Living Conditions and the ILO, and would be a very different exercise.

The International Labour Organization (ILO) has promoted its concept of decent work through its Decent Work Agenda.[19] A key purpose behind the measures was to allow governments and social partners to progress towards decent work and offer comparable information for analysis and policy development (OECD, 2017). The ILO framework covers ten dimensions of decent work, (i) employment opportunities; (ii) adequate earnings and productive work; (iii) decent working time; (iv) combining work, family and personal life; (v) work that should be abolished; (vi) stability and security of work; (vii) equal opportunity and treatment in employment; (viii) safe work environment; (ix) social security; and (x) social dialogue, employers' and workers' representation. The framework focuses on labour standards, collective bargaining, employment creation and social protection. These dimensions broadly overlap with those named in the ICESCR articles (6-8) on decent work.

While the tripartite nature of the ILO gives a variety of perspectives, Burchell et al. (2014) argue this has been a key reason for the lack of impact of the ILO's concept of decent work.[20] Employers and employees have different interests in setting wages and other working conditions. Furthermore, there are also clashing interests between different groups of workers: higher wages for one group might deprive others of access to paid work by stifling employment generation. While high wages may be better for workers, employers – and others – would argue that they prevent employment generation, thus depriving others of the ability to access paid work at all. Indeed, there is a large economic literature on the potential effects of wages on employment, highlighting the trade-offs between the quantity

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[19] The ILO's Framework on the Measurement of Decent Work was developed in 2008 (updated in 2012) and was influenced by the tri-partite nature of the ILO, which encompasses governments, employer associations, and representatives of workers.

[20] Compared to the Human Development Index (HDI), for example, over a similar period (Burchell et al., 2014).

and quality of employment (e.g. Brown, 1999). We return to this issue in the report conclusion.

The ILO approach has also been criticised as being too constricted in its view of work, disregarding individuals' subjective experiences of work and how work impacts their well-being (Deranty and MacMillan, 2012). Other approaches focus much more on the experience of work and well-being. For example, the European Job Quality Index, created by the European Trade Union Institute in 2008 takes the perspective of employees, and it includes many subjective indicators of quality of work, such as job intensity and job control.[21] The UN Economic Commission for Europe developed a new framework of indicators for the Measurement of Quality of Employment in 2015. Similar to the European Job Quality Index, this framework does not include labour market indicators such as unemployment, focusing more on the experiences of those in employment. It includes subjective and objective indicators across seven dimensions including skills development and training, and employment-related relationships and work motivation (UNECE, 2015). The OECD Job Quality Framework, developed in 2015, assesses decent work across three key dimensions: earnings quality, quality of the working environment, and labour market security. The quality of the working environment dimension captures non-economic aspects of employment, included because of the evidence linking the quality of work to well-being (Cazes et al., 2016).

The European Foundation for the Improvement of Living and Working Conditions (Eurofound) created a set of job quality indices (Eurofound, 2012). Two features distinguish this framework from others. Firstly, while it does not reduce job quality to a single index, it does combine responses to questions to cover four dimensions: earnings, career prospects, intrinsic job quality, and working time quality. A second feature is that the indices are designed to be used with the European Working Conditions Survey which Eurofound fields,

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21 The purpose of the European Job Quality Index is to contribute to the monitoring and evaluation of the progress of different Member States towards the ‘more and better jobs’ goal of the European Employment Strategy (Leschke and Watt, 2008).

and its indicators draw heavily from the questionnaire.[22] This guarantees that these indicators *can* be measured using survey data, and that cross-national data are available.[23]

The EHRC Measurement Framework for Equality and Human Rights, developed in 2017, is a broad framework measuring socio-economic rights in the UK, including a section on work. The indicators cover four dimensions of work: employment, earnings, occupational segregation, and forced labour and trafficking. In this framework, there is a focus on data disaggregation and equalities analysis, which is less explicit in the other decent work measurement frameworks, though this features strongly in ICESCR.[24] There is also more of a rights-based perspective than some of the other frameworks.

Note also that work is conceptualised in these frameworks, and in this report, as paid work, though much of the work in Irish society is unpaid work (caring and housework) (Russell et al., 2019a), and paid and unpaid work are intricately linked (ILO, 2018). The Committee on Economic, Social and Cultural Rights has recognised that the concept of work and workers has evolved to cover unpaid work,[25] and has made clear in particular that 'unpaid workers' are covered by Article 7 of ICESCR on the right to just and favourable conditions of work.[26] While it very important to acknowledge the extent of unpaid work and who is doing it, developing indicators to capture a concept of 'decent work' for unpaid work would be extremely challenging.[27] Unpaid work can include a very broad spectrum of activity, some of which is relatively close to paid employment (e.g. relatives assisting in a family business) while other activities are much further removed from it such as emotional labour (Lynch, 1989). Some elements of decent work such as adequate remuneration, job security, representation by a trade union or similar organisation are difficult to apply if work is unpaid and carried out in a family setting. A first step would be to accurately quantify the extent of

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[22] The indices exclude indicators relating to the preferences or values of workers, although they do rely on measures reported by the worker such as autonomy at work and use of skills (Eurofound, 2012).

[23] This survey provides exceptionally rich data on working conditions and is easily comparable across European countries. However, because of the small sample size within each country, it is limited in its capacity to be informative about equality groups, and it is only fielded every five years (see Chapter 3).

[24] EHRC, 2012: 13. ICESCR GC No 18 defines non-discrimination, including positive measures, as a 'minimum core obligation' in terms of Article 6, with a particularly strong equality focus re access to employment in particular.

[25] General Comment No. 23, para 4.

[26] General Comment No. 23, paras 5 and 47(j).

[27] Note 'unpaid' work in this discussion does not include work carried out for pay but outside government regulation or taxation (Eichhorst et al., 2018).

unpaid work regularly in Ireland and acknowledge the limitations of a monitor of decent work that focuses exclusively on paid work. Some other elements of unpaid work could be measured: this is a point we return to in the report conclusion.

Some frameworks for measuring decent work combine indicators to a single index of 'decent work', while others, most notably the ILO framework, do not. The disadvantages of composite indicators are that they are less transparent and can mask or misrepresent important trends within the individual measures. We argue that a single metric for Ireland would be unhelpful in terms of reflecting different aspects of job quality, a complex and multi-dimensional concept. This study seeks to combine equality of access to employment with a focus on whether that work is 'decent' or not, to strike a balance between internationally established indicators and those relevant to Ireland, and to give workers in Ireland voice over the quality of jobs.

1.5 CHALLENGES AND TRADE-OFFS IN MONITORING DECENT WORK

A key element of this study is the comparison of outcomes for different groups, in so far as data allow. These groups are those protected under equality legislation in Ireland (see Section 1.3). While there is a clear focus on groups protected by equality legislation in Ireland (see Section 1.3), there is a broader tradition of research in sociology and economics which identifies additional important inequalities, in particular class-based or socio-economic disadvantage, both internationally and in Ireland (Erikson and Goldthorpe, 1992; Atkinson, 2015; Whelan and Maître, 2008). It is currently not possible to bring a case to court on discrimination on the grounds of social class or social origin, although amending the legislation to introduce socio-economic status is under consideration at present (Government of Ireland, 2020). With this in mind, the report also considers outcomes by highest level of education attained, as the best available proxy of socio-economic status (see Chapter 2 for further discussion of this). When we refer to 'equality groups' this includes educational background, as well as protected characteristics.

Consistent with other monitors, groups are compared for evidence of disadvantage, if any. For example, the outcomes of those born abroad and native-born are typically compared in integration monitoring (OECD, 2018); outcomes for those with and without a disability are compared in research on disability (Banks et al., 2018); and outcomes for ethnic minorities

are compared to White outcomes in research on ethnicity in countries with a majority White population (Platt, 2019).

To effectively monitor the realisation of the right to decent work in Ireland, the indicators should be chosen to allow change to be tracked over time. An emphasis on change is important for two reasons. Firstly, from a policy/monitoring perspective, it is important to know the 'direction of travel', that is if any given indicator is improving or getting worse. Secondly, from a research and measurement perspective, comparing change over time can overcome some of the limitations of the indicators. Even if any given indicator, such as adequate earnings, underestimates the proportion of the working population whose earnings are adequate, if it does so consistently it will still detect change in that indicator.[28]

The development of a monitoring instrument and its indicators need to be meaningful for a general audience. As noted by Burchardt (2017), there needs to be communication between researchers and policymakers, the general public, civil society organisations including NGOs and the Central Statistics Office and others involved in data collection, if monitoring is to be effective. This consideration has driven the decision to select socially salient and easily defined indicators, and present headline indicators, rather than the results of statistical models. Some of the group differences may be because of age or education differences between groups and this is noted in the text where particularly relevant but does not undermine the value of the exercise. For example, even if the higher rate of workplace injuries among ethnic minority workers is 'explained' by their concentration in jobs associated with low educational qualifications, that does not make it any less of a concern from a human rights perspective. Some differences may also be due to labour market discrimination. This report does not seek to imply that the group differences are due to discrimination, though this may be partly true. A detailed investigation of mechanisms underlying many of these outcomes would require a different kind of in-depth analysis. What monitoring like this can do is highlight where problems exist, but further research is needed to establish the causal pathways and to evaluate policy responses.

[28] Though we cannot rule out an element of sampling error as well as bias in survey data.

Involving a diverse range of voices in developing an approach to monitoring is also important to help ensure the indicators are salient for Ireland and meaningful for rights holders. Participation of those affected is also a key principle of human rights monitoring (OCHCR, 2018). A large consultation on decent work with key stakeholders was conducted in developing this instrument, with participants from multiple perspectives (see Chapter 2). Of course, it is challenging to incorporate a range of perspectives; some important issues raised may not be 'measurable' at all; and some issues may be very relevant to some small groups, but not to others, which challenges manageability.

Manageability is also important. All possible indicators of decent work would give a more complete picture of the domain. There is no one 'ideal' indicator set. Yet using too many outcome indicators would make interpretation and replication more difficult and reduce the usefulness and accessibility of a monitoring exercise. There is considerable value in limiting indicators, provided the process and rationale for these choices is clear. Selecting indicators that are comprehensive, not repetitive, and capture different elements of the domain in question go some way to addressing this issue, though it is important to also be cognisant of the missing aspects, as discussed in Chapter 2.

Data gaps for some groups and indicators are also a challenge, and the data gaps are often precisely for the smallest, most disadvantaged groups. But these gaps are also an opportunity: one of the purposes in a monitoring exercise of this nature is to highlight those gaps, with a view to improving measurement and data collection. On this basis, indicators will not only be restricted to those for which data are available. In doing so, data gaps that are significant from the perspective of establishing progress in realising socio-economic rights will be highlighted.[29]

The fact that the reality of the lived experience of equality and discrimination is complex and nuanced raises an even more challenging issue. Everyone belongs to multiple group

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[29] International bodies, including CESCR, have raised concern around Ireland's data collection and lack of disaggregated data to monitor ESC Rights. In the concluding observations in 2015, the Committee of Economic, Social and Cultural Rights found that 'the data provided by the State party are outdated and not disaggregated and that the replies to the list of issues do not include sufficient data', making it difficult to assess actual and progressive realisation of economic, social, and cultural rights. See: https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/150/67/PDF/G1515067.pdf?OpenElement.

identities, but which identities are 'invoked' and by whom in particular settings can be difficult to establish, both for researchers and even for the individuals involved. For example, most Muslims in Ireland are from an ethnic minority background (McGinnity et al., 2018a), so their labour market experiences may be linked to their religious affiliation or ethnic group membership, or perceived immigration status, or all three. The discussion of the outcome indicators acknowledges that a number of factors (for example gender and disability, or age and marital status) might influence disadvantage for any individual.

1.6 CONTEXT FOR DECENT WORK IN IRELAND

The number of paid jobs in any labour market is closely linked to the economic cycle, that is whether the economy and the labour market are growing, and jobs are freely available (economic growth); or whether the economy is shrinking (recession), and the number of jobs is falling. So, employment will typically be high and unemployment low in a growth period. Conversely in a recession, employment will be lower and unemployment higher. Thus, the economic cycle affects how many jobs are available – people may in principle have a right to work, but there may be a lack of jobs overall.

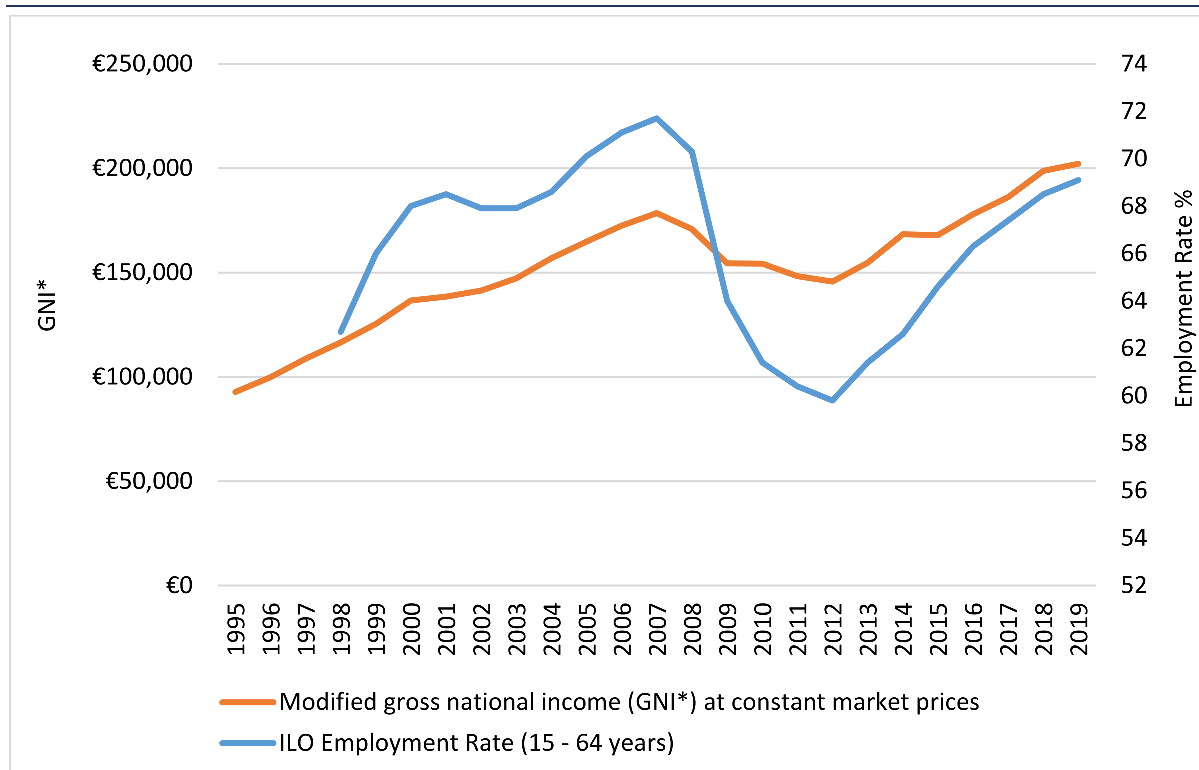
1.6.1 The Irish labour market: pre-COVID-19 trends

The impact of the economic cycle on the quality of work at an aggregate level is debated (Russell et al., 2014). This impact will be influenced by where jobs are created or lost, that is in which sectors and occupations. Fluctuations in the quality of work with the economic cycle is more likely to occur where there are fewer labour protections (O'Riain et al., 2015; Gallie, 2007; 2013). This section aims to give a background to the analysis in the report by outlining Ireland's economic position in 2019, the latest year for which most data are available.

Ireland's economy grew steadily in the early 2000s which kept unemployment low. However, this was followed by a sudden recession in 2008,[30] when unemployment rose sharply. This was followed by a more gradual recovery, beginning in 2013.

[30] For a summary of the cause of Ireland's recession see Bergin et al. (2018).

FIGURE 1.1 MODIFIED GNI* AND EMPLOYMENT RATES, IRELAND (1995-2019)



Source: Figures for GNI* were taken from PxStat Table N1925. Figures for employment rates were taken from PxStat Table QLF18.
Notes: GNI* is Modified Gross National Income at Constant Market Prices (chain linked annually and referenced to year 2018). Modified GNI is an indicator that is designed to exclude globalisation effects that are disproportionally impacting the measurement of the size of the Irish economy.

Figure 1.1 outlines the quarterly trend in employment and modified GNI*,[31] dating from 1995 to 2019. The GNI* trend line (Y-axis on the left-hand side), shows that Ireland experienced a fall in GNI* starting in 2007, which was followed by a slow recovery, starting in 2013. The impact of the recession is even more striking when the employment rate is considered. In terms of raw employment numbers, the decline in workers was most apparent in the construction sector, although manufacturing was also affected, as a well as administrative and support services (Russell et al., 2014). Health and the information/ communication sectors expanded: education and finance were relatively unaffected by job loss (Russell et al., 2014). Employment falls were greater for men than women; younger workers than older workers, and East European nationals than Irish nationals (McGinnity et al., 2014). Though as Russell et al. (2014) note, the gendered impact of the recession on job quality was more nuanced than gender differences in the overall employment rate.

[31] GNI* is accepted as a more accurate reflection of the size of the economy in Ireland, see https://www.cso.ie/en/releasesandpublications/ep/p-nie/nie2018/mgni/ for further discussion.

The employment rate gradually increased after 2012, partly due to economic recovery and partly due to emigration. By 2019, the overall rate had returned to almost 70 per cent, closer to the pre-recession rate (see Figure 1.1).

1.6.2 The COVID-19 pandemic and the Irish labour market

Although GNI* had risen substantially, and unemployment has fallen in the years prior to and including 2019, Ireland faces economic challenges and uncertainty following the health crisis and economic recession caused by the COVID-19 pandemic. At the time of writing (March 2021), Ireland was still in the midst of this global pandemic and associated restrictions on economic and social activity. The pandemic exposed inequalities in the labour market and differential risk of exposure to the virus among particular sectors and groups of workers. Some jobs have been defined as 'essential', though precisely which jobs these are depends on the nature of restrictions at any given time (Redmond and McGuinness, 2020a). At various stages of the pandemic response those who can work from home have been encouraged/instructed to do so, and whether jobs can be done from home or not has also emerged as a key cleavage (Redmond and McGuinness, 2020b; Enright et al., 2020). Other workers whose jobs could not be done from home but are not essential have been put on temporary lay-off, supported by the State on COVID-related payments (the Pandemic Unemployment Payment and Temporary Wage Subsidy Schemes/Employment Wage Subsidy Scheme) (McGuinness and Kelly, 2020).

According to the CSO, the unemployment rate in January 2021 in Ireland would be 25 per cent, if those on temporary lay-off receiving COVID-related payments were included.[32] Workplace closures and job losses due to the pandemic have not been uniform across the economy. In the first half of 2020, workers in the hospitality sector, the arts/entertainment, and certain parts of the retail sector (non-essential retail) have been particularly hard hit (CSO, 2020b). The impact of the COVID-19 pandemic on job quality is much less clear. As any assessment of the impact of the pandemic will be informed by considering the situation pre-pandemic, this report focuses on pre-pandemic employment (2019); we return to reflect on the potential impact of COVID-19 in the conclusion.

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[32] https://www.cso.ie/en/releasesandpublications/er/mue/monthlyunemploymentjanuary2021/.

Chapter 2 describes the selection of dimensions of decent work and indicators, the data sources on which the assessment is based, how we define equality groups and the analytical approach adopted. Chapter 3 compares access to work by presenting group differences in employment, unemployment, and occupational attainment. Chapter 4 focuses on adequate earnings, considering low pay. Chapter 5 focuses on workers 'voice' – both their representation by trade unions/staff association, and their control over how they perform their jobs. Security and stability of work is the focus of Chapter 6, and equality of opportunity to work and treatment while working is discussed in Chapter 7. Chapter 8 considers health and safety at work in Ireland. Chapter 9 summarises what we have learnt about the right to decent work in Ireland, outlines significant data gaps and reflects briefly on the implications of the COVID-19 pandemic for the prospects for decent work in the near future.

CHAPTER 2

Decent work: Dimensions and indicators

This chapter discusses the methodology of the report – how the dimensions and indicators were selected, based on a review of international measurement frameworks, and the learnings derived from the stakeholder engagement process. The dimensions and indicators are described in detail, outlining a rationale for their selection (Section 2.2). As any monitoring exercise is only as good as the data on which is based, we then turn to the evidence base for assessing decent work in Ireland, the data sources used (Section 2.3). Section 2.4 discusses how the different groups protected under equality legislation are measured (or not) in these data sources, as well as how educational qualifications are used to measure socio-economic status (together termed 'equality groups'). The final section briefly outlines the analytic strategy used in the report.

2.1 THE ENGAGEMENT PROCESS FOR DECENT WORK

Engagement work is an opportunity to profile the development of the decent work indicators in an Irish context. This engagement took the form of briefings and discussion e.g. within the IHREC Worker Employer Advisory Committee (WEAC),[33] consulting with key informants and a structured consultation event.

The structured consultation event was designed to get input from organisations which represented the equality groups analysed in this report as well as individuals with expertise in key areas of decent work in Ireland. A total of 66 individuals were invited to the event, of which 32 attended on the day (see Appendix Table A2.3 for a list of participants). Those who could not attend were consulted by email. With the ILO Framework on the Measurement of Decent Work as a starting point but informed by a review of the other frameworks described above, the research team compiled a comprehensive list of dimensions and indicators which related to decent work. These dimensions broadly follow the ILO measurement framework dimensions described above and are informed by the relevant

[33] WEAC is a statutory advisory committee established under s18 of the Irish Human Rights and Equality Act 2014.

ICESCR articles (See Appendix 1). Duplication was then removed and, considering how often indicators were repeated across frameworks and prioritising relevant dimensions of work in the Irish context, a longlist of 44 potential outcome indicators was produced (see Appendix 2).

During the consultation the participants were split into groups to consider the proposed ten dimensions of decent work: access to employment; occupational position; adequate earnings; stability and security of work; working time/work-family balance; equality of opportunity and treatment (e.g. bullying, workplace discrimination); safe work environment (e.g. occupational injuries, work-related illness); employee voice (e.g. consultation, influence, union membership); intrinsic job quality (e.g. job control, job satisfaction); and career development (e.g. job training, career prospects).

Through discussion in small groups, participants were asked to rate their 'top five' dimensions in descending order. The longlist of indicators from within those ten dimensions were then presented to the groups, who were tasked with choosing their 'top ten' indicators from the list of 44 (see Appendix 2 for the dimensions and full list of indicators, and how these were ranked by participants). Participants were also free to provide further feedback or insights on the measurement of decent work, as well as to suggest other dimensions or indicators which were not included on the lists provided to them. A notetaker was assigned to each table to ensure that feedback and more in-depth discussion of the indicators selected by each group was captured.

Following the consultation event, the indicator preferences of the participants were aggregated and given a score (see Appendix 2). These preferences informed the final selection of indicators (see Section 2.2). Notes collected during the event regarding respondents' preferences and the reasons surrounding these were also analysed to draw out key lessons from the event and inform the final list of dimensions and indicators.

Key lessons from the consultation included:

1. Access to employment, adequate earnings, stability and security of work and equality of opportunity and treatment were regarded as being the most important dimensions of decent work in Ireland (although

participants stressed throughout that all the listed dimensions of work were important). There was also agreement that the dimensions were not necessarily separate entities but were interlinked and could influence one another.

2. Participants highlighted that it is important to consider as many equality groups as possible and to disaggregate data according to these groups, in order to assess the fulfilment of rights for different groups in the population.
3. Subjective elements of work are important to include in some way to understand people's lived experiences of decent work and are an important complement to objective measures. It should be taken into account what people value in paid work and that these priorities can vary considerably across the population.

2.2 DIMENSIONS OF DECENT WORK AND INDICATORS SELECTED

After another round of intensive testing of the data sources and consultation with IHREC and the project's Steering Board,[34] the final list of dimensions and indicators was selected. The shortlist aims to capture the breadth of the concept of decent work, while also limiting the number of dimensions so that the monitoring exercise remains manageable. The dimensions also try to strike a balance between conceptual framing of labour market issues with every day working life issues tangible to rights' holders, as well as balancing established 'objective' indicators versus subjective quantitative indicators from survey data that give workers voice/their own perspective and reflect their 'agency' in their work.[35]

2.2.1 Access to employment

Access to employment was ranked as a crucial dimension at the consultation, with participants noting that it is a fundamental starting point of decent work. If individuals do not have a job, they cannot have a decent job. Therefore, the first indicator proposed is **the employment rate** in Ireland. This will expose differential levels of employment, including

[34] The steering board for this project was made up of senior experts at the ESRI, representatives of the Irish Human Rights and Equality Commission and an external academic expert.

[35] An example of an 'objective' indicator would be weekly or hourly earnings. A 'subjective indicator' would be job satisfaction or job control. An 'objective' indicator of job insecurity might be whether or not the individual has a fixed-term (temporary) contract as opposed to a permanent contract. A 'subjective' indicator of job security might be a response to the question 'how likely is it do you think you will lose your job in the next year?', with response 'very likely' as opposed to 'not at all likely'.

self-employment, across social groups and this indicator frames many of the other indicators. The employment rate is so low for Irish Travellers that the majority of this group will be 'missing' on many other indicators (e.g. adequate earnings, job security, occupational position, health and safety). The employment rate is also very important to consider as there could (potentially) be a situation where a given group has a very low employment rate, but the select group of people have work and have high-quality jobs. Or the opposite: some groups have high employment rates, but these are of poor quality. It is thus important to bear in mind that in some cases group differences in employment rates may not be a 'denial' of the right to work, but an individual choosing not to work.

The **unemployment rate** is a second very useful indicator, as it is very effective for indicating those with no access to employment but who are seeking work. Unemployment is 'involuntary', and a clear indication that an individual's right to a decent job is not being fulfilled. This indicator is socially salient in Ireland and meaningful to rights holders.

Occupational position was chosen as the third indicator of access to decent work. While it did not emerge as a leading concern in the consultation, the indicator (i.e. proportion in professional/managerial occupations) is an excellent proxy for many dimensions of job quality – people occupying these jobs are at the top of the occupational class distribution. These workers typically have better job quality in terms of higher wages and prestige, greater security of employment, more autonomy, better career prospects, training opportunities, working conditions and access to a wider range of employment-related benefits and entitlements, such as pensions (Goldthorpe and McKnight, 2006; Layte et al., 2008; Russell et al., 2018a).

2.2.2 Adequate earnings

Earnings is a core indicator of job quality and it is also directly linked with 'adequate remuneration' in terms of Article 7 ICESCR (see Appendix 1). Defining adequate earnings is a difficult task. Hourly wages are a typical measure of job quality, with higher hourly wages being associated with higher quality jobs, and very low wages with poor quality jobs. Hourly wages are conceptually very distinct from earnings, which are typically measured at a weekly, monthly, or annual frequency. The difference is of course primarily related to the number of hours worked per day and the number of days worked per week, month, or year.

As a result, it is perfectly possible for someone with a moderate or even high hourly wage to have earnings that are deemed inadequate to meet their needs (and likewise for someone with a low hourly wage to have earnings that do). So, as well as low hourly pay rates, the analysis also considers low weekly pay rates to give a sense of total (gross) income from employment.

In fact, the link between low wages and household poverty is far from straightforward. Previous research in Ireland has shown that there is a very low degree of overlap between low pay and household poverty in Ireland, and a large share of those on low hourly wages live in high-income households (Logue and Callan, 2016; Redmond et al., 2019). This challenges the notion that hourly wages are closely related to family resources. Even considering weekly wages, this is also only weakly related to family resources as it overlooks the role both of multiple earners in a family and of the tax-benefit system in mediating the link between earnings and disposable income.[36] The idea of measuring adequate earnings of a household as well as individual level was also raised by some participants at the consultation, as well as the inclusion of a measurement of the 'working poor'. Yet this approach raises other problems; if earnings were tied to an individual's family circumstances, this means two people doing identical jobs but with different family situations would receive different wages. This runs counter to the concept of equal pay for like work. Here the focus is on earnings paid to individuals for the work they do, not household poverty. **Low pay rates both hourly and weekly** were selected as outcome indicators for adequate earnings but readers should be aware that whether these are adequate for needs depends on the family situation of the workers.

2.2.3 Employee voice

The ILO definition of decent work stresses the importance of workers being able to express their concerns and organise themselves and is clearly linked with the principle of participation, which is key to work rights under ICESCR, where Article 8 recognises the right of workers to form, join and take action as part of a trade union, and protects the right to strike. Collective bargaining – negotiations between trade unions and employers or

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[36] In addition, what is defined as 'adequate' can vary considerably according to an individual's needs, for example, life with a disability is more expensive in many respects (Cullinan et al., 2011).

employers' organisations to set wages and working conditions – is a key labour market institution and fundamental right, recognised by the international community (Eichhorst et al., 2018). As a voluntary process between independent and autonomous parties, collective bargaining presupposes independent employee representation. Usually representation is expressed through the trade union membership. Employee voice was also considered to be moderately important in the consultation due to the importance of being able to negotiate better working conditions. In this report we use **rates of trade union or staff association membership** as an indicator of employee voice. Due to the conflation of trade union and staff association membership in some of the Irish data, we also look at trade union Coverage and Density. It is important to note however, that while Article 40.6.1 of the Irish Constitution confers the right of freedom of association to join a trade union, trade unions in Ireland have no legislative right to be recognised in the workplace for collective bargaining purposes and employees have no right to make representations to their employer through their union.[37]

As noted above, the ILO Framework for measuring decent work has been criticised for not including any indicators that consider individuals' experiences of work and how work impacts well-being. There is very large body of scholarship that has set out to conceptualise and measure decent work in a way that is meaningful to workers themselves; some of these indicators also feature in other measurement frameworks and this perspective will be included in this report. These encompass a range of indicators of what is often termed 'Intrinsic job quality', and which includes things like work intensity, autonomy or job control, job satisfaction and workplace relationships.

In the theoretical literature on job quality, job control or autonomy is a central dimension of quality of work, and it is linked to job involvement, satisfaction, and organisational commitment (Gallie and Zhou, 2013). It captures workers own 'agency' or control in their job. It was not deemed central in the consultation, but a good illustrative indicator of work from the workers' own perspective. We use rates of **full control over workplace tasks**

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[37] Irish Congress of Trade Unions, *Realising the Transformative Effect of Social Dialogue and Collective Bargaining in Ireland*, p. 8.

(whether respondents have a say over their order, method, and speed of tasks at work) as an indicator of workers perceived job control.

2.2.4 Stability and security of work

Stability and security of work emerged as another very important dimension due to its impacts on many aspects of life such as income stability, stress levels, access to mortgages etc. It is a key dimension in the ILO framework, and emerged strongly in the consultation.

Precarity in the labour market has been prominent in both research and public debate in recent decades (Kalleberg, 2011). Research in an Irish context suggests that temporary work is not the preferred option for many workers (McGuinness et al., 2018). **Temporary contracts** (often including temporary agency work) are a prominent measure of labour market insecurity and we adopt this measure for this dimension of decent work. An alternative measure of job security involves asking respondents themselves about how secure they feel their job is. This measure considers respondents' *feeling* of insecurity, which is clearly important for well-being, but may not accurately reflect the likelihood of job loss (Gash and Inanc, 2013).[38]

Informal work is typically defined as remunerated activity, which is not declared to the State for tax, social security, and labour law purposes when it should be declared, but is legal in all other respects (European Commission, 2007; Williams, 2014). Informal work and workers are notoriously difficult to measure. In a comparative analysis, Williams (2014) finds that in common with many Western and Northern European countries, the informal sector in Ireland is relatively small. Informal work is dominated by own-account (self-employed) work, and even within waged work, informal work *in addition to* formal work is more common than workers who just do informal work (ibid.). Thus, the category 'informal workers' in Ireland is estimated to be very small indeed.[39] Like in other countries, the care

38 Not surprisingly, there is wide overlap between being on a temporary contract and feeling insecure about one's position.

39 The proportion of informal sector workers shifting to formal sector employment in the reporting period was suggested as a process indicator for decent work (OCHCR, 2012).

sector, particularly in a domestic setting, is the area of the economy where informal work is more common (ILO, 2018).

That said, ‘pseudo’ or ‘bogus’ self-employment is an issue in Ireland, particularly in the construction sector (Wickham and Bobek, 2016; Nugent et al., 2019). Bogus or ‘dependent’ self-employment is usually defined as workers who are in principle self-employed but have no employees and work for one dominant client.[40] They are dependent on that client for income, but have no rights, social protection entitlements or job or income security (Nugent et al., 2019; McGuinness et al., 2018).

Zero hours contracts are another form of precarious employment. O’Sullivan et al. (2015) found that zero hours contracts were not extensive in Ireland, but found greater use of so-called ‘if and when’ contracts. Both types of contract involve non-guaranteed hours of work,[41] though many ‘if and when’ contracts have some hours guaranteed and some variable. For both, unpredictability of hours and income are major challenges to employees. The Employment Act 2018 banned zero hours contracts in Ireland and gave employees a right to guaranteed hours (within bands) that reflect their normal working hours.

2.2.5 Equal opportunity for and treatment in employment

Equality of opportunity and treatment was considered to be very important from the point of view of equality and human rights. Non-discrimination and equality are fundamental components of international human rights law and essential to the exercise and enjoyment of economic, social, and cultural rights (see Appendix 1). The principles of non-discrimination and equality are recognised throughout the Covenant. Equal opportunity for employment and treatment in employment are also prominent in domestic legislation (the Employment Equality Acts 1998-2015). The importance of these principles was also echoed by consultation participants, in particular, reasonable accommodation of disabled people.

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40 https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Self-employment_statistics. Some authors classify all self-employed without employees (own account workers) as pseudo self-employed, but clearly those with one dominant client are more vulnerable.

41 The fundamental difference between the two is that individuals with a zero hours contract are contractually required to make themselves available for work with an employer, while individuals with an ‘if and when’ contract are not contractually required to make themselves available for work with an employer.

Self-reported **rates of discrimination seeking work and in work** were chosen as indicators for this dimension as it captures an individual's subjective experience of discrimination. In spite of its damaging consequences and importance for both equality and human rights, discrimination can be difficult to measure. Measuring group differences in outcomes does not equate to measuring discrimination; there are a number of reasons why employment rates or working conditions may differ for different groups, and discrimination (unequal treatment on the basis of group membership) is part of the picture (Bond et al., 2010; Pager and Shephard, 2008).[42] Relying on reports of discrimination to authorities or successful legal cases is problematic as only a fraction of those who experienced discrimination report it (OECD, 2013), and these are typically those with greater resources (McGinnity et al., 2017). Field experiments of recruitment provide convincing evidence of discrimination but are limited to certain occupations and sectors – and only one of these has been conducted in Ireland, in 2008, (McGinnity and Lunn, 2011).

2.2.6 Health and safety at work

Ireland has an obligation under Article 7(b) of ICESCR to ensure that workers have safe and healthy working conditions. In early literature on health and safety at work, occupational accidents, injury, and death were the focus of attention; more recently attention has shifted to work-related illness, in particular work stress (Russell et al., 2018a).[43] In the consultation discussion of safe work environment, physical safety as an issue was viewed in the consultation as being mainly linked to certain sectors. Mental health and stress levels in the working environment were repeatedly mentioned and considered to be very important to measure within this dimension. Disaggregating measures of illness by cause of illness was recommended if possible, in order to capture stress-related illnesses. This report uses **both work-related illness and work-related injury** by group as indicators of equal opportunity for and treatment in employment.

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[42] Given this, some of the indicators in OCHCR (2012) are extremely problematic.

[43] The incidence of occupational accidents, including acts of violence, personal injury, disease, or death was suggested as an indicator of decent work by OCHCR (2012).

2.2.7 Dimensions of work not selected

Working time/work-family balance. With a longer list of dimensions, this indicator would be included, as it features prominently in both the ICESCR and the ILO measurement framework for decent work. For some commentators, having too little work is the problem, and linked to lack of income and financial insecurity. For some it is about having too much work and not enough rest and leisure and time with the family.[44] What is difficult to capture is whether lower working hours are because an individual cannot find a full-time job, or because the individual is a full-time student, for example, or they cannot take a full-time job because of caring responsibilities. Without this information it is difficult to be clear on what the indicator is telling us. A future development of an indicator like this might include information about whether workers would prefer to work more or less hours, combined with the hours they are actually working.

Career development was not considered as one of the more important dimensions in the consultation, though is prominent in the ILO measurement framework. One theme that did emerge was some emphasis by participants that this dimension is important for those in lower paid/skilled work to be able to progress to more decent work. Over-qualification did feature as a consideration, in particular because of its relevance to migrant workers. As an indicator of mismatch between worker and their job this is less of indicator of job quality, but also relevant to whether a job is a decent job for any given individual.[45]

Social protection was repeatedly brought up as a dimension which provides a crucial context for enabling decent work, including things such as access to childcare or to work-related benefits such as paid sick leave; this also features in the ILO framework. Unemployment compensation is a key issue here, to enable individuals to look for another (decent) job, should they lose their job, or support them financially in trying to find an initial job. Certainly, the association between decent work and social protection is integral; however this is beyond the scope of this report as it would require in-depth analysis.

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[44] In Ireland there are statutory limits on working time and minimum entitlements to paid holidays, for example, the Organisation of Working Time Act 1997.

[45] For example, a worker with no qualifications cannot be overqualified for their job, as their qualifications by definition cannot exceed the skill requirements of that job.

The right *not* to engage in (paid) work was another point raised in the engagement event. Some people, for example those who care for children or adult dependants, might prefer to care for them on a full-time basis and not engage in paid work. It is thus important to bear in mind that in some cases group differences in employment rates may not be a denial of the right to work, but an individual asserting their right not to work. Unemployment is usually understood to identify those who are *involuntarily* out of work.

While not without limitations, these dimensions cover important aspects of decent work in Ireland and are reasonably consistent with both ILO and ICESCR understandings of work, as indicated above. Developing the list of dimensions with the participation of others has made the selection of indicators socially salient and the dimensions reflect interpretation of international instruments into a national context.

2.3 EVIDENCE BASE FOR INDICATORS: DATA SOURCES USED

Measurable indicators for the dimensions of decent work were selected following a structured consultation event with key stakeholders, together with intensive testing of data sources and subsequent deliberations with IHREC and the steering board. Table 2.1 provides an outline of the selected dimensions discussed above, the related indicators and the data sources used to measure these.

TABLE 2.1 OUTLINE OF DIMENSIONS, INDICATORS AND DATA SOURCES

Dimension	Indicator	Source of Evidence
1 Access to Work	Employment Rate Unemployment Rate Professional/Managerial Occupations	Labour Force Survey (LFS) 2019 (all qtrs.) + Census 2016 LFS 2019 (all quarters)
2 Adequate Earnings	Low Pay Rates (hourly and weekly)	Survey of Income and Living Conditions (SILC 2018 and 2019)
3 Employee Voice	Trade Union or Staff Association Membership Job Control	LFS 2019 (all qtrs.) European Working Conditions Survey 2015
4 Stability and Security of Work	Fixed-term (temporary) Job	LFS 2019 (all qtrs.)
5 Equal Opportunity for and Treatment in Employment	Experience of discrimination in the Workplace Experience of discrimination seeking Work	Equality Data 2019 Equality Data 2019
6 Health and Safety	Work Related Illness Rate Work-related Injury Rate	LFS 2017-2018 (Special module)

Note: Equality Data 2019 is a special module of the General Household Survey (GHS).

The outcome indicators in this report utilise survey data. The key advantage of large-scale survey data is that the data are designed to be representative of the population in Ireland – and subgroups – at the time of the survey. This means that, for the most part, differences can be generalised to the full population. This is very different from using anecdotal evidence or newspaper reports to compare groups.

As indicated in Table 2.1, data used for analysing access to employment, stability and security of work, employee voice (trade union or staff association membership), and health and safety come from the 2019 **Labour Force Survey (LFS)**.[46] The LFS is an expansive, nationwide survey of households in Ireland. Participation in the survey is voluntary and has a design sample of 32,500 private households. The achieved sample differs across quarters as it is subject to response rates. The total number of households used to generate results in Quarter 1, 2019 was 15,113 and in Quarter 2 was 14,440. The survey has a rotating panel

46 https://www.cso.ie/en/methods/labourmarket/labourforcesurvey/aboutthelabourforcesurvey/.

design; households are asked to take part in the survey for five consecutive quarters before being replaced. The survey results are weighted to agree with population estimates broken down by age, gender, and region.

Due to a lack of available data for ethnicity and religion and employment, data used for the access to employment domain also came from the **2016 National Census.**[47] A total of 4,761,865 individuals were recorded in the 2016 Census, of which 4,689,9221 were usually resident in Ireland. Use of the Census for analysis of access to employment provides large benefits due to its coverage of the entire population. This is particularly important for small groups in the population such as Travellers.

Data used for adequate earnings come from the 2018 and 2019 Survey on Income and Living Conditions (SILC).[48] SILC is an annual survey of private households administered by the CSO under EU legislation for the purpose of providing information on income and living conditions. Data from the survey are primarily used to measure poverty and exclusion in Ireland; in this report they are used for indicators of low pay. Participation in the survey is voluntary and has a design sample of 9,600 private households, however the achieved sample differs as it is dependent on response rates. The overall response rate in 2018 was 46 per cent.[49]

Data used for assessing the job control indicator of the employee voice domain come from the 2015 European Working Conditions Survey (EWCS).[50] The EWCS is a survey which runs approximately every five years. The survey contains questions on workers' employment status and conditions for the purpose of assessing working conditions across Europe and assisting with policy development on employment. The overall sample size in Ireland for 2015 was 1,057 and participation in the survey was voluntary. The sample included respondents aged 15 or over, living in private housing and in employment.[51]

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47 https://www.cso.ie/en/media/csoie/methods/censusofpopulation/Census_2016_Quality_Report_rev_0918.pdf.

48 https://www.cso.ie/en/silc/.

49 The survey is weighted to agree with population estimates based on age by sex, region, and household composition.

50 https://www.eurofound.europa.eu/surveys/european-working-conditions-surveys/sixth-european-working-conditions-survey-2015/ewcs-2015-methodology.

51 The survey is weighted to agree with population estimates based on age by sex, industry, and occupation.

Data used to assess equal opportunity for and treatment in employment comes from the equality modules of the 2019 General Household Survey.[52] The equality module contains self-reported questions on experiences and effects of discrimination. The module was previously included in the Quarterly National Household Survey in 2004, 2010 and 2014. The overall sample size for Quarter 1, 2019 was 3,971 respondents aged 15 or over living in private households.[53]

It is important to note that all data in this report (apart from Census data) draw on samples of individuals living in private housing. Therefore, the surveys exclude those who are homeless, living in direct provision centres, or other residential settings. These groups may be particularly vulnerable to disadvantage and human rights violations. An important exception to this in Ireland is the Census of Population, which does survey people outside private households. Census data are used in Chapter 3 on access to employment for groups not measured in the Labour Force Survey. However, the Census is very expensive, is only conducted every five years, and not all of these groups outside private households can be identified (for example those living in direct provision centres).[54]

In their guidelines on improving the collection and use of equality data, the European Commission (2018) highlights the imbalance in the collection of data across different equality grounds. The Commission specifically recommends including individuals residing in 'institutional settings such as care homes, prisons, asylum reception centres, nomadic people, homeless people and people living in temporary accommodation' in order to obtain more inclusive data.

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52 https://www.cso.ie/en/aboutus/takingpartinasurvey/surveysofhouseholdsindividuals/general householdsurvey/.

53 The survey is weighted to agree with population estimates based on sex, age, and region.

54 A related gap in survey data relates to protection applicants more broadly, including those living outside direct provision centres. Recognised refugees, that is who have already been granted either asylum or leave to remain, are also not identified in any existing large-scale, repeated surveys in Ireland, including the Census. Those granted asylum/leave to remain are also completely lost from administrative data (see Fahey et al., 2019, Chapter 3). There is thus no way of assessing outcomes of those who came to Ireland seeking international protection, a potentially vulnerable group.

2.4 DEFINING EQUALITY GROUPS

This report takes the primary equality legislation in Ireland as a starting point for defining groups, in particular the Employment Equality Acts 1998-2015*,* which prohibit discrimination in employment-related areas – accessing employment, working conditions, training in the workplace, harassment, promotion, as well as other employment-related areas. The nine grounds identified in the equality legislation are gender, civil status, family status, age, disability, sexual orientation, religion, 'race' and membership of the Traveller community. These grounds overlap substantially with those outlined in Article 2(2) ICESCR and detailed further in ICESCR General Comment 20. It is important to note that despite this overlap, there are a number of other grounds protected under ICESCR which are not currently recognised under Irish legislation.[55] Table 2.2 shows which equality groups are measured in a number of Irish datasets.

Some issues should be noted regarding the groups that can be distinguished and disaggregated in the data, which we identify as 'equality groups'. Firstly, due to small numbers in certain categories, some groups have been collapsed. For example, in the survey of equality and discrimination (CSO, 2019), nationality was re-categorised as 'Irish' and 'other'. This is problematic as research has shown that non-Irish nationals are very diverse in terms of national origin and labour market outcomes (McGinnity et al., 2020b), as are labour market outcomes of different ethnic groups (McGinnity et al., 2018a). Secondly, sexual orientation and gender identity were not measured in most of the surveys used for analysis with the exception of the equality module (2019) from the General Household Survey. However, the numbers for these groups were too small to analyse, given the rules around minimum sample size applied by the Central Statistics Office, to ensure privacy/prevent against risk of disclosure (for respondents) and to guarantee reliability (of estimates).[56]

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[55] Additional protected grounds under ICESCR include political or other opinion, social origin, property, language and birth or other status. CESCR have included in GC No. 20 a non-exhaustive list of grounds that fall under 'other status'.

[56] In the GHS sexual orientation was measured by asking respondents 'which of the following options best describes how you think of yourself?' Respondents could choose from six responses which included: heterosexual/straight, bisexual, gay/lesbian, asexual, other (respondents had to specify if they chose this option) or questioning/unsure. Gender identity was measured by asking respondents 'does the gender you

Gender was measured in the same way across surveys with respondents having the option to choose male or female with the notable exception of the equality module linked to the General Household Survey (2019) which allowed the response option ‘other (please specify)’. However, as mentioned above, numbers were too small to separately analyse the ‘other’ respondents. Age was measured in all surveys in the form of date of birth or provision of respondents’ exact age. Analysis of age for each indicator was restricted to those aged 18 to 64[57] and as such would not capture any issues regarding decent work for those under 18 or over 64.[58]

Disability was measured in the same way in the LFS and equality modules with respondents asked whether they experience any of a set of conditions.[59] In the EWCS, disability was measured by asking respondents whether they have an illness or health problem which has lasted, or is expected to last, for more than six months. In the SILC data disability was measured using a question on general activity limitation. Respondents were asked if they had limitations in activities because of health problems and could answer using three different responses.[60]

While in the legislation, the ‘race’ ground is described as discrimination on the basis of being of different race, colour, nationality or ethnic or national origin, these concepts are rather different. In particular ‘race/ethnicity’ is different from ‘nationality’ or ‘national origins in Ireland’, so these are measured separately, where possible. For national origin, country of birth is used if possible, nationality if not possible.[61] Country of birth was measured in both the LFS and EWCS data. In the LFS, country of birth was measured as an open-ended question. However, due to small numbers, groups were re-categorised into Ireland, UK, EU-West, EU-East and Other. In the EWCS country of birth was measured as a closed question with respondents asked if they were born in Ireland. For this reason, country of

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were assigned at birth correspond to your current gender identity?’. Respondents could answer yes or no to this question.

57 This differs from the standard CSO LFS age restriction which focuses on those aged 15-64.

58 For presentation purposes age was grouped into the following categories: 18-24; 25-44 and 45-64.

59 These included: blindness or vision impairment, deafness or a hearing impairment, a difficulty with basic physical activities such as walking, climbing stairs, reaching, lifting, or carrying, an intellectual disability, a difficulty with learning, remembering, or concentrating, a psychological emotional condition or mental health issue, a difficulty with pain, breathing or any other chronic illness or condition.

60 Responses included: Strongly limited, limited, not limited.

61 Country of birth is taken in preference to nationality as this includes all those born outside Ireland, even if they have become Irish citizens. See McGinnity et al., 2018a.

birth is categorised as born in Ireland or not born in Ireland for the job control indicator. Nationality is used in place of country of birth in the SILC and equality data. In the SILC survey, respondents gave their country of citizenship which was re-categorised for analysis as citizenship in: Ireland, EU New Member States or non-EU states. Again, due to small numbers in the equality data, nationality was measured as Irish and Non-Irish.

Ethnicity was only measured in the Census data and equality modules. In the Census, respondents were asked to select their ethnic or cultural background from seven predefined responses.[62] They were also given the option to answer 'Other' and write in their ethnicity if it was not listed. These categories were recoded for analysis into: White Irish, White Irish Traveller, any other White background, Black, Asian, and other ethnicity. Note this also includes the 'Membership of the Traveller Community' ground as is included in equality legislation. In the equality modules, the question allowed for more categories – to match the forthcoming 2021 Census,[63] but ethnicity was re-categorised as White and Other due to small numbers within groups.

TABLE 2.2 BREAKDOWN OF GROUPS MEASURED ACROSS DATA SOURCES

	LFS	SILC	Equality (GHS)	EWCS
Gender	yes	yes	yes	yes
Transgender Identity	no	no	yes *	no
Sexual Orientation	no	no	yes *	no
Age	yes	yes	yes	yes
Disability	yes	yes	yes	yes
Country of Birth	yes	yes	yes	yes
Ethnicity	no	no	yes	no
Nationality	no	yes	yes	no
Marital Status	yes	yes	yes	no
Family Type	yes	no	no	no
Household Type	no	yes	no	yes
Education*	yes	yes	yes	yes
Religion	no	no	yes	no

Notes: Detailed group proportions and number of cases in each dataset are presented in Appendix 3.
* Note education is not protected under the current employment equality legislation but included in this report as one of the equality groups.

62 These responses were: Irish, Irish Traveller, Any other White background, African, Any other Black background, Chinese, and any other Asian background.

63 'What is your ethnic group/background?' A White; 1 Irish; 2 Irish Traveller; 3 Roma; 4 Any other White background; B Black or Black Irish; 1 African; 2 Any other Black background; C Asian or Asian Irish; 1 Chinese; 2 Indian/Pakistani/Bangladeshi; 3 Any other Asian background; D Other, including mixed group/ background; 1 Arab; 2 Mixed; 3 Other.

Marital status was measured similarly across surveys. In the LFS, SILC, and equality data, respondents were asked to choose a category that describes their current marital status. In total there were nine different categories in the LFS,[64] five in SILC,[65] and four in the equality modules.[66] These were re-categorised into three categories: single, married and formerly married (separated/divorced/widowed). Family type was measured in the LFS and EWCS using two variables which looked, first, at family unit type and, second, individuals within families. These were re-categorised into five different groups for analysis: couples without children, couples with children, lone parents, children living with parents, and living alone. A similar variable called household type was measured in the SILC data. There were six different categories created from the SILC data[67] which were used for analysis.

Because of its importance in contributing to 'securing better equality outcomes and greater social cohesion', IHREC (2017) recommends including socio-economic status as a separate equality ground protected under equality law. Although socio-economic status is not protected under equality law in Ireland, Article 2(2) of ICESCR recognises the need to protect against discrimination based on social origin. As noted in Chapter 1, there is also a long tradition of social research which identifies inequalities based on social origin (Erikson and Goldthorpe, 1992; Bottero, 2005).

Measures of parents' job or economic status when the respondent was growing up are typically used to capture social origin,[68] but this is not measured in any regular, repeated social survey in Ireland.[69] For this report, educational attainment is used. Education was defined in slightly different ways across datasets but is available on all of the social surveys.

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64 Marital Status categories are combined in the LFS data to include single; married or in a civil partnership; separated, divorced, widowed; in a civil partnership but separated from partner; formerly a civil partner but the civil partnership now legally dissolved; a surviving civil partner – his/her partner having since died.

65 Categories included: never married, married, separated, widowed, and divorced.

66 Categories included: single, married, widowed, divorced, or legally separated.

67 These included: one adult households, two adult households, three or more adult households, one adult with children aged under 18, two adults with one- to three children under 18, and other households with children aged under 18.

68 Using current social class of the respondent is not appropriate in a report on decent work, as current occupation is a key element of any social class measure. Unemployment is also sometimes used as a measure of socio-economic disadvantage (e.g. CSO, 2019), but this is inappropriate for the same reason. Housing tenure is also sometimes used (e.g. McGinnity et al., 2012), but is not appropriate as housing can also be seen as an outcome. In addition, those who are privately renting are not always disadvantaged.

69 The recently-fielded module of the Survey of Income and Living Conditions is an important exception to this but was not available at the time of writing.

In the LFS, EWCS, and SILC data, educational attainment was measured using the International Standard Classification for Education (ISCED); however in the equality data respondents only had a choice of five categories.[70] In order to ensure consistency across results, educational level was recoded to 'does not have a third-level education' or 'has a third-level education', except in the case of the low pay data, where education was measured as primary, secondary, and post-secondary tertiary.

Religion was also only measured in the Census and equality data. The Census provided respondents with six predefined responses and a separate response box for respondents to state their religion if it was not listed amongst existing options. These categories were recoded for analysis into: Catholic, Church of Ireland/England/Anglican/Episcopalian, Other Christian, Muslim, No Religion, and Other Religion. In the equality data, respondents had the same selection of responses as the Census, however the number of respondents in all categories other than Catholic were too small for separate analyses. For this reason, religion was recoded into Catholic and Other in the equality data.

In all of these surveys respondents defined themselves as being members of different equality groups through answering the relevant questions to disclose their personal characteristics. They also had the option to refuse to disclose the information, in which case they would not appear in the analysis, as it would not be possible identify the group(s) to which they belong. It should also be noted that individuals have multiple identities which can affect their experiences. People may possess multiple protected characteristics (for example, a lesbian woman with a disability) which intersect, creating differing experiences. Future research should investigate how these intersecting identities affect outcomes of decent work, however it is beyond the scope of this report to conduct this type of in-depth analysis.

2.5 ANALYTICAL APPROACH

The analysis of the outcome indicators in this report uses secondary data collected by the Central Statistics Office (SILC, LFS, GHS and Census) and Eurofound (EWCS). This report

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[70] These included: primary or below; secondary or below; post-Leaving Certificate; third-level or higher; other; or not stated.

draws on descriptive statistics to explore differences within groups (for example, between those with disabilities and those without). The analysis in this report mostly focuses on data from a specific year or multiple years (or survey quarters) combined, depending on sample size, however in Chapter 3 change over time in employment between 2014 and 2019 is also presented for certain groups. In the analysis, data are disaggregated where possible by the following characteristics: gender, age, disability, marital status, ethnicity, family status, religion, or the closest available characteristics. In many cases, these groups are compared, for example men and women, those with and without a disability etc. Appendix Table A3.1 presents the (weighted) proportion in each equality group as well as the (unweighted) number of cases in each dataset, which does vary considerably with sample size.

Weighted results are presented as bar charts displaying the mean response per group and standard error bars surrounding these values.[71] These error bars indicate 'confidence intervals' – that is, the upper and lower bound range within which we can be 95 per cent confident that the true population value falls.

Confidence intervals can also indicate whether there are statistically significant differences between various categories within the same group. If there is no overlap between the confidence intervals, the differences within groups can be said to be statistically significant. This means that we are confident that the differences found are not due to chance, and reflect differences found between groups in the population. However, where confidence intervals do overlap, it does not necessarily mean that the differences are not statistically significant, especially where the degree of overlap is very small.[72] It is important to note that confidence intervals are larger for groups where the sample sizes are small, therefore results should be interpreted with caution. Differences that are not found to be significant may be due to small sample sizes and group sizes. For example, confidence intervals are larger for the analysis on equal opportunity and treatment, as the equality data used for this

[71] Clustered standard errors are used when multiple waves of LFS data are pooled. These errors adjust for the presence of duplicates, that is individuals who were in the sample in more than one quarter.

[72] For this reason, we double check that where confidence intervals overlap, statistical significance tests also result in no significant difference, before noting the lack of statistically significant difference in the text. Results are not presented, but available from authors on request.

analysis had a small sample (3,971) and smaller numbers of participants within minority groups e.g. other ethnic background.

CHAPTER 3

Access to work

In this chapter, we will consider access to work as a measure of decent work. Access to employment is a core indicator because most other employment outcomes (like wages, security, employee voice etc.) are contingent upon having a job. Those who are the most excluded from decent work are those who are involuntarily unemployed or prevented from participating. Therefore, our starting point is to consider which groups are excluded from employment (and the extent of such exclusion). The first step to closing these gaps is to highlight them, while keeping Ireland's international commitments in mind.

The right to work is recognised under Article 1 of the European Social Charter and Article 6.1 of the International Covenant on Economic, Social and Cultural Rights (ICESCR). ICESCR requires States to recognise the right to work in national legal systems,[73] and to ensure the right of access to employment, especially for disadvantaged and marginalised individuals and groups, permitting them to live a life of dignity.[74] These international human rights treaties also require the State to realise the right to non-discrimination by stipulating equal access to employment across equality grounds like race,[75] those with a disability[76] and women.[77] In this chapter we assess progress towards this goal by examining access to employment overall and across specific groups in Ireland (see online appendix for more details on international instruments).

Access to work is also addressed within a number of Irish national policies. The *Pathways to Work Strategy 2016-2020* sets out actions to expand pro-active engagement with people of working age who are unemployed, as well as incentivising the take-up of opportunities. The *Action Plan for Jobs* also addresses barriers to employment, from a high-level action of implementing the *Pathways to Work Strategy* (Action 23),[78] to targeting specific groups

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73 GC No. 18, para 26.
74 GC No. 18, para 31.
75 CERD Article 5(e).
76 CRPD Article 27.1; European Social Charter Article 15(2).
77 CEDAW Article 11.1 and 11.2; European Social Charter Article 20 (a) (d).
78 See Action 23 in *Action Plan for Jobs 2018*.

including: young people via launching the Youth Employment Support Scheme (Action 26);[79] women via reviewing and implementing effective childcare schemes (Action 27);[80] and persons with disabilities via assessing and communicating the net benefits of returning to work (Action 25).[81] The *Roadmap for Social Inclusion 2020-2025* contains a commitment to 'Review existing programmes as part of the new employment services strategy, to cater for the needs of marginalised groups/socially excluded people'.[82] Access to employment is also addressed under national equality strategies for marginalised groups such as migrants,[83] lone parents;[84] LGBTI+,[85] Roma and Travellers.[86]

Throughout the chapter we will focus on three indicators of access to work, specifically the employment rate, the unemployment rate, and the rate of occupational attainment. The third indicator measures the proportion of different groups in 'high-level' professional/ managerial occupations. Access to these positions is clearly related to 'equal treatment in employment', in terms of promotion/advancement opportunities (ICESCR, Article 7), which refers to 'the proportion of women and other under-represented individuals in high-level positions'.[87]

Before considering the results, it is important to note what is captured in the figures below. The hiring process in employment is complex. For highly skilled jobs, people typically require training and qualifications, for example in engineering, medicine, accountancy and teaching. Group differences in outcomes may stem from several mechanisms. For example, group differences in employment could reflect education, skill and experience differences, accessibility considerations in places of work, personal choice/preferences about whether and how to engage in paid work, cultural expectations, life-cycle pressures, legal barriers to work or work in a certain profession,[88] or discrimination, or – most likely – some combination of these factors working together. We do not consider these mechanisms here,

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79 See Action 26 in *Action Plan for Jobs 2018*.
80 See Action 27 in *Action Plan for Jobs 2018.*
81 See Action 25 in *Action Plan for Jobs 2018.*
82 See Commitment 4 in *Roadmap for Social Inclusion 2020-2025*.
83 Actions 40, 41, 42 and 44, *Migrant Integration Strategy.*
84 Action 1.13 *National Strategy for Women and Girls 2017-2020.*
85 Action 2.1, 2.3, 2.7, 2.11 *National LGBTI+ Inclusion Strategy 2019-2021.*
86 Action 24, 25, 28, 36, 107 *National Traveller and Roma Inclusion Strategy 2017-2021.*
87 CESCR, General Comment 23, para 55.
88 Legal barriers to work are particularly relevant for non-EU nationals; legal barriers to practice in a particular profession to all who have acquired qualifications abroad which may not be recognised in Ireland.

which would involve different types of evidence and analysis, including statistical models controlling for a range of factors, or longitudinal data tracking individuals' education and labour market histories. Instead we present the fundamental differences in the proportion of each group that is employed at one point in time, and cite existing research which explores some of these mechanisms.

3.1 ANALYTICAL APPROACH

Our main goal in this chapter is to estimate the overall rates of access to employment, and the main group differences in access across seven groups: gender, age, country of birth, marital status, family type, disability status, and education type. Although we cannot make causal claims about the nature of these differences, they are worth noting since, with the exception of education level, they represent the groups protected under equality legislation.[89] Moreover, these categories capture groups that may be at risk of labour market disadvantage or exclusion.

When measuring the employment rate, we use the International Labour Organisation's (henceforth ILO) definition of employment, where possible. The ILO defines this rate as the number of adults aged 18-64 who are in employment, as a proportion of all adults of that age group (employed/population aged 18-64). The ILO defines employed as all respondents of working age:

> *who worked for at least one hour for pay or profit, including work on the family farm or business and all persons who had a job but were not at work because of illness, holidays etc. in the week.*

This definition does not include unpaid interns or unpaid trainees but typically does include respondents who are employed but are temporarily absent because of sick leave, annual leave, or parental leave. One consequence of this definition is that it includes even individuals who work few hours. Some of the respondents listed as 'employed' do not see

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89 As noted above, IHREC and others have argued for the extension of equality legislation to include discrimination on the grounds of socio-economic position. Education is included to capture this. IHREC has also made a submission to Citizens Assembly on Gender Equality, located here; https://www.ihrec.ie/documents/submission-to-the-citizens-assembly-on-gender-equality/.

employment as their principal economic status (like students, lone parents, and those caring for family).

The ILO's definition of an unemployed person is one who is without employment for the past week, available for work in the next two weeks and actively searching for work (Labour Force Survey – CSO – Central Statistics Office, n.d.). The unemployment rate is then 'calculated by expressing the number of unemployed persons as a percentage of the total number of persons in the labour force'.[90] Since an employed respondent is someone who works for at least an hour per week, the unemployment rate does not consider respondents who are underemployed, perhaps working in positions with extremely limited or irregular hours, but who are actively looking for employment with 'regular' hours.[91]

All the information needed for the ILO definition is not available for the Census 2016, which is used in Sections 3.2.1 and 3.3.1 to consider differences in labour market indicators for different religious and ethnic groups. In the Census, respondents are asked simply: 'How would you describe your present principal economic status?'[92] The estimates of employment and unemployment differ between the two measures, for example employment rates are typically lower than ILO employment rates, as those working very low hours will usually not define their principal status as employed. We use this measure of principal economic status (PES) to document important differences between ethnic groups in the labour market.[93]

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90 '*The labour force (formerly known as the economically active population) is the sum of the number of persons employed and the number of persons unemployed. Thus, the measurement of the unemployment rate requires the measurement of both employment and unemployment.*' (Indicator description: Unemployment rate – ILOSTAT, 2020).

91 This definition would also include those who are currently employed in seasonal work as employed if they worked in the previous week.

92 Respondents could select one of the following options: 1 Working for payment or profit; 2 Looking for first regular job; 3 Unemployed; 4 Student or pupil; 5 Looking after home/family; 6 Retired from employment; 7 Unable to work due to permanent sickness or disability; 8 Other, write in.

93 So, for example full-time students doing eight hours of paid work per week, in addition to their studies, would count as 'employed' in the ILO definition, but would likely define themselves in the Census as students, and thus 'out of the labour force' for the PES definition. See https://www.cso.ie/en/releasesandpublications/ep/p-cp11eoi/cp11eoi/pec/ for further details.

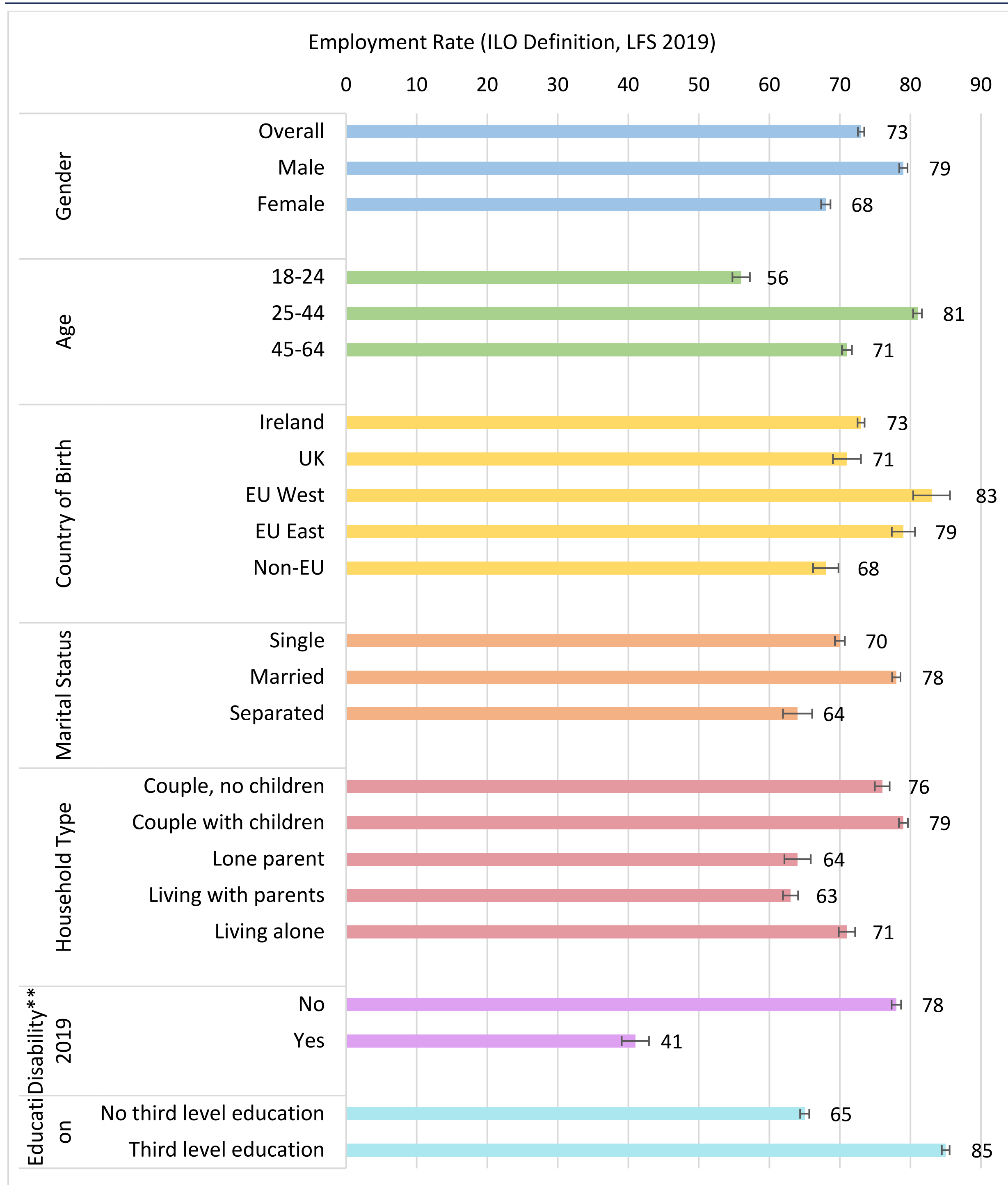
3.2 EMPLOYMENT

Figure 3.1 presents the general employment rate for respondents aged 18-64. Overall, 73 per cent of these respondents were in employment in 2019. As discussed in Chapter 1, employment rates tend to be higher during economic growth periods, when there are more jobs available and as a consequence more people can exercise the right to work.

Considering gender, we see that employment among men (79 per cent) is higher than among women (68 per cent). This difference is also statistically significant; it could stem from the care obligations placed on women, especially women with children, although we do not consider this explicitly (Russell et al., 2019a; Privalko et al., 2019a; Grotti et al., 2019a; Cooke, 2014).

Considering differences between age groups, young respondents (18-24) have the lowest employment rates (56 per cent) when compared to respondents aged 25-44 (81 per cent), and respondents aged 45-64 (71 per cent). This difference is also statistically significant; it could reflect younger respondents' higher participation in third-level education or other forms of training and development. However, we note that older workers (45-64) report lower rates of employment (71 per cent) when compared to younger respondents (25-44). This pattern could stem from a person-specific decision such as early retirement, or disability, which is more prevalent among older workers (Russell et al., 2019b). This may also reflect a cohort effect, as women born in the 1950s to early 1970s (now aged 45-64) are more likely to be full-time homemakers or carers.

FIGURE 3.1 GROUP DIFFERENCES IN EMPLOYMENT RATES (LFS Q1-Q4 2019)



Source: Labour Force Survey (Q1-Q4 2019).
Notes: Analysis restricted to those aged 18-64. Figure lists proportions and 95 per cent confidence intervals by group.
** Due to data limitations group differences in disability are only available for Quarter 2 of the 2019 Labour Force Survey.

Respondents in the UK and Ireland have similar rates of employment (this difference is not statistically significant). Those born in Europe (either in EU-West countries (83 per cent) or EU-East countries (79 per cent)) have significantly higher rates of employment compared to respondents born in Ireland (73 per cent). The lowest employment rate emerges for

respondents born outside the EU (68 per cent), although this category contains a lot of variation and includes respondents from the US, Asia, Africa, and the Middle East. This difference is also statistically significant. These differences could stem from regulations for those from outside the EU which grant access to work only for specific subgroups of respondents, typically in well-paid jobs through employment permits such as the Critical Skills Permit, or indeed the fact that many non-EU nationals come to Ireland to study (see McGinnity et al., 2020a). Analysing 2016 Census microdata, McGinnity et al. (2020b) also find that migrants from countries with higher rates of protection/asylum application (born outside the EU) have worse labour market outcomes (see also O'Connell, 2019, who focuses on African nationals). This may reflect, in part, the fact that until June 2018 international protection applicants were not permitted to enter the labour market (McGinnity et al., 2020a). Marital status groups also differ significantly in terms of employment, with separated respondents having the lowest rates of employment (64 per cent), followed by single respondents (70 per cent). Respondents who are married have the highest employment rate (78 per cent). At least some of these differences are likely explained by age, with younger respondents more likely to be single and older respondents more likely to be separated, divorced, or widowed.

Next, we consider the employment rate between different family types. Respondents who are coupled with children have the highest employment rates (79 per cent), followed by respondents without children (76 per cent). Single respondents (71 per cent), lone parent respondents (64 per cent) and respondents who live with their parents (63 per cent) have significantly lower rates of employment, although the lower rate among those who live with their parents is likely to be partly a by-product of differences in age. For lone parents, previous research highlights the difficulties of combining employment and solo caring and identifies a range of barriers including high childcare costs, lower earnings capacity, time constraints, in-work poverty, and benefit traps (Millar et al., 2012; Millar and Crosse, 2016).

Finally, we consider employment differences between those with a third-level degree and those without. Respondents without a degree are significantly less likely to be in employment (65 per cent) than respondents with a third-level degree (85 per cent). This difference is one of the widest considered so far. Part of this difference may stem from differences in skills (Becker, 2009) between those with a third-level degree and those

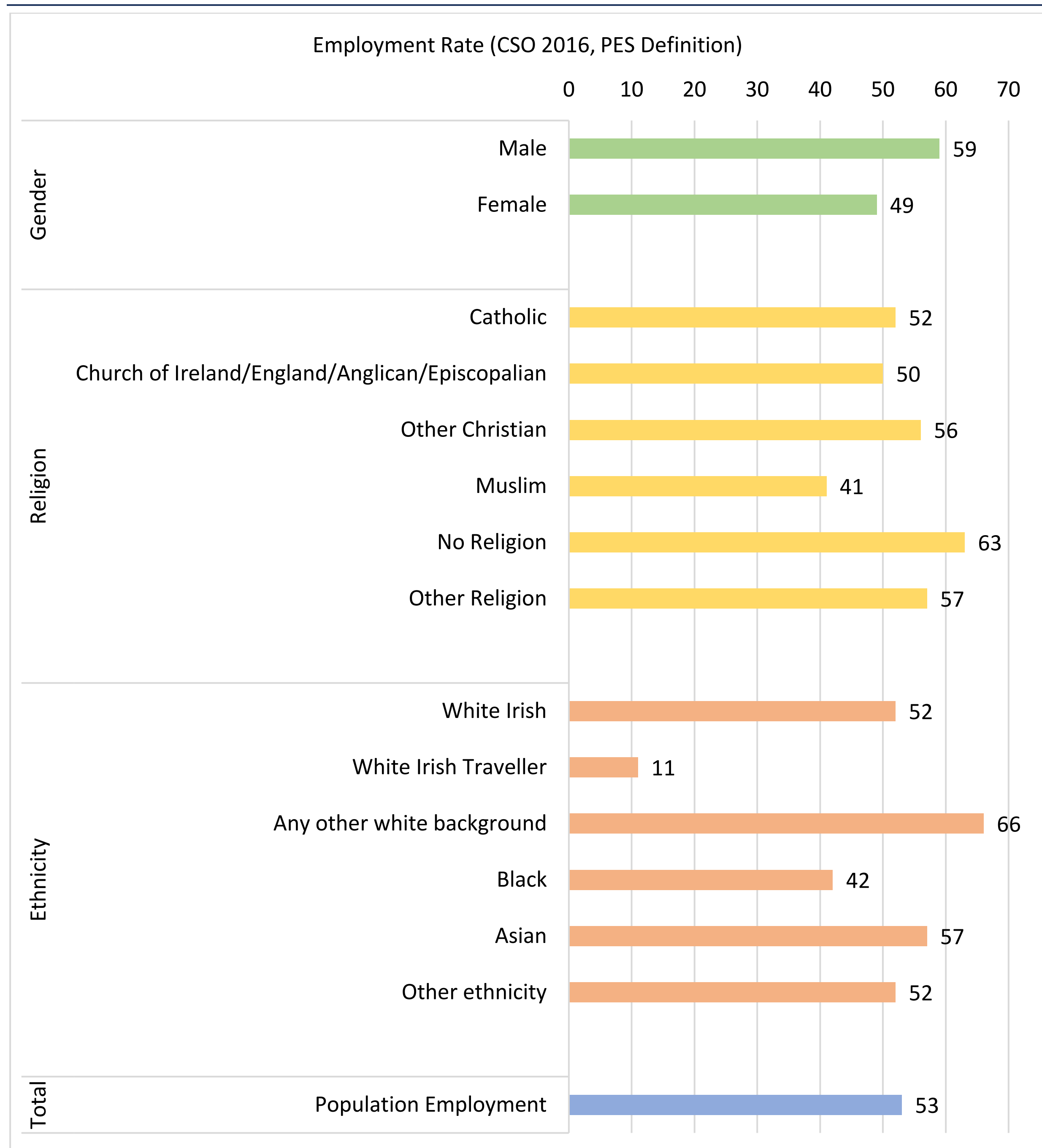
without a third-level degree; part of this reason may also stem from signalling (Weiss et al., 2014), where an employer perceives a third-level degree as a shorthand signal that a respondent is productive and efficient. In addition, third-level degrees are very often considered pre-requisites for skilled jobs, particularly those with more favourable roles and working conditions.

3.2.1 Employment among different religious and ethnic groups

The chart above omits religious and ethnic group differences in employment. Since ICESCR requires states to ensure the right of access to employment for all, including disadvantaged and marginalised individuals and groups, we will consider religious and ethnic differences in employment. These measures are available in the CSO Census of Population using the respondent's principal economic status (PES).

As before we find a gender difference in PES employment, with women citing lower employment (49 per cent) than men (59 per cent). Regarding religious differences, we find that Muslim groups have a lower likelihood of employment (41 per cent) when compared to other groups like Other Christian (56 per cent), and Catholics (52 per cent). However, Catholics report far lower rates of employment when compared to respondents without a religion (63 per cent) and respondents with Other Religions (57 per cent).

FIGURE 3.2 GROUP DIFFERENCES IN EMPLOYMENT RATES (CSO 2016)



Source: CSO Census Figures (2016).
Notes: Figure lists proportions of population aged 15 or over whose principal economic status is working for pay or profit. There are no confidence intervals shown as the Census is not a sample.
1. Employment rate by gender was taken from the Census of Population 2016 Statbank table EB073.
2. Employment rate by religion was taken from the Census of Population 2016 Statbank table E8060.
3. Employment rate by ethnicity was taken from the Census of Population 2016 Statbank table E8008.

Regarding differences in ethnicity we note far wider gaps between groups, with White Irish Travellers noting the lowest rate of employment among any of the listed groups (11 per cent). Respondents who are White Irish (52 per cent) also list far lower rates of employment when compared to 'other White' respondents (66 per cent). These 'Other White' respondents are likely to be from Europe and the US, who typically have higher rates of

employment when compared to respondents born in Ireland, at least during periods of economic recovery (McGinnity et al., 2020a).

The ethnic group reporting the lowest levels of employment are members of the Traveller community, citing just 11 per cent employment.[94] This is a very large gap when compared to White Irish respondents, whose employment rate is 53 per cent in Figure 3.2. Watson et al. (2017a) find a significant part of this gap is linked to educational disadvantage and exceptionally low levels of education among the Traveller community. Using a statistical model that adjusted for education differences and for gender, marital and family status, age group and region, their results suggested that with all of these factors held constant, the employment rate of Travellers would be just under two times lower than non-Travellers (instead of the observed six times lower) (ibid). However these authors also note that education cannot fully explain the employment gap between Travellers and non-Travellers, as a two-fold gap remains. Prejudice and discrimination are likely to play a significant role in accounting for the employment gap between Travellers and non-Travellers. This is consistent with recent research by FRA (2020) which found very low levels of employment among Irish Travellers in 2019, and very high levels of discrimination seeking work (see also Chapter 7 for further discussion). The lower levels of employment reported by this group could potentially also be due to differences in the types of work that Travellers are engaged in. Whilst the PES definition of employment may capture self-employment, it may not capture low hours work and/or work in the informal economy. Research by KTCM (2020) on Travellers in Kilkenny found that some Travellers work low hours in informal employment, though of course this is not the same as a full-time job, has low income and is much less secure. KTCM (2020) also cite very low levels of education as a key factor underlying very low employment rates of Travellers.

Black respondents also report lower rates of employment than several White ethnicity groups (see Figure 3.2). Some of these lower employment rates may be because, at least for Black ethnic respondents who are not EU citizens, they may face restricted access to the labour market as non-EU nationals (see McGinnity et al., 2020a). However, for some of this group it may be related to having come to Ireland seeking international protection

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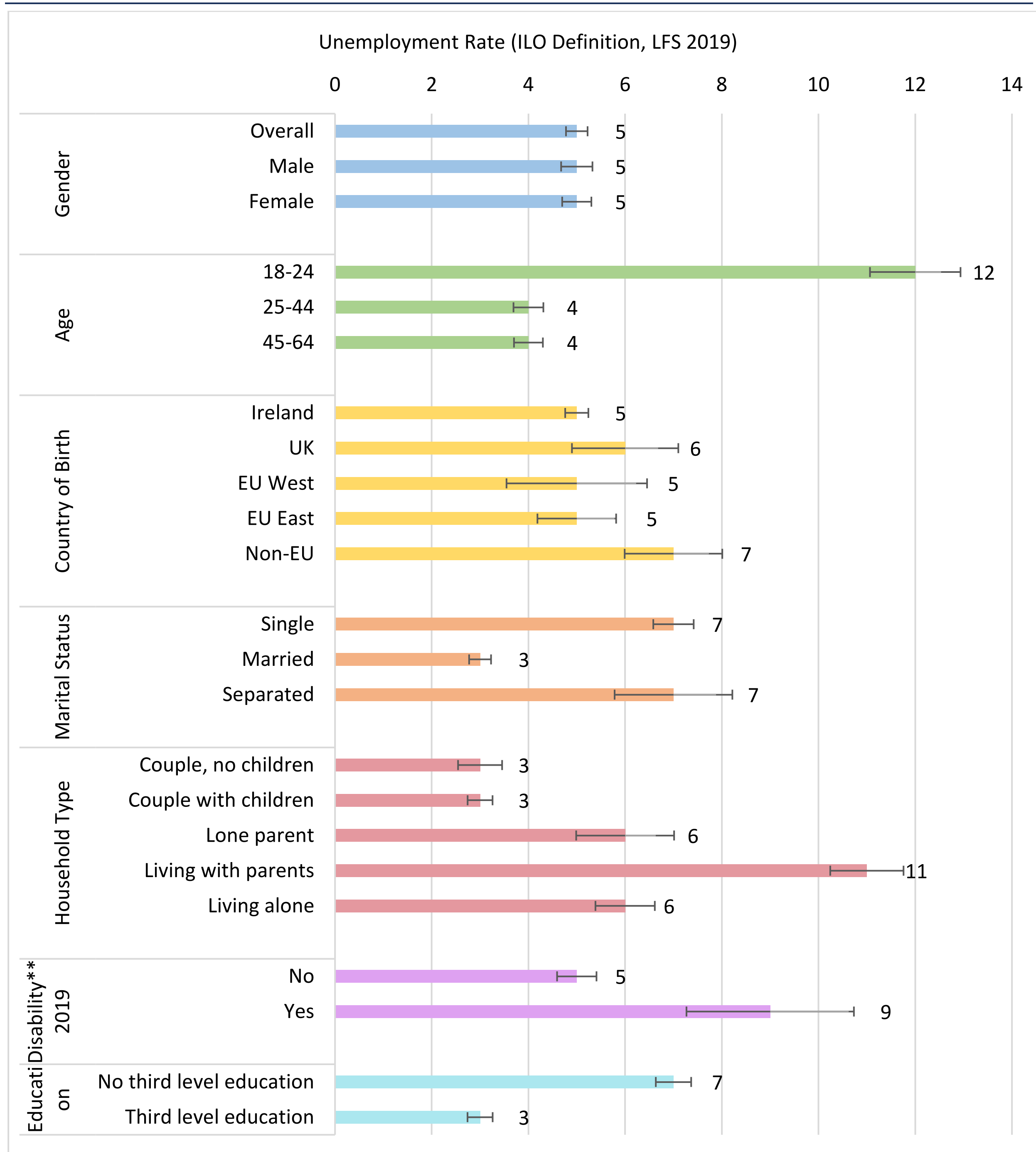
[94] Further analysis revealed that employment did not differ significantly between Traveller men and women.

(McGinnity et al., 2020b), or indeed to discrimination of Black African and Black Irish respondents (McGinnity et al., 2018a).

3.3 UNEMPLOYMENT

The discussion above focuses on rates of employment. We now turn to measures of involuntary unemployment, which identifies those that are seeking employment, and are available for work. Figure 3.3 presents the unemployment rate for respondents aged 18-64. Overall, we see that 5 per cent of respondents in the Irish labour market are unemployed and actively looking for work in 2019. This rate is low, particularly compared to a decade previously, suggesting that – prior to the 2020 global pandemic which saw this trend reverse overnight – the majority of those in the Irish labour market are exercising their right to work. However, there are substantial differences between groups in terms of unemployment rates.

FIGURE 3.3 GROUP DIFFERENCES IN UNEMPLOYMENT RATES (LFS Q1-Q4 2019)



Source: Labour Force Survey (Q1-Q4 2019).
Notes: All unemployed, restricted to those aged 18-64. Figure lists proportions and 95 per cent confidence intervals by group.
**Due to data limitations group differences in disability are only available for Quarter 2 of the 2019 Labour Force Survey.

In contrast to findings on employment, the unemployment rate among women (5 per cent) is similar to the unemployment rate among men (5 per cent).

We also consider differences between age groups, finding that unemployment is highest among younger respondents (12 per cent), with mid-age category respondents and older respondents citing lower unemployment (4 per cent). Older respondents have both lower

employment and low unemployment, this reflects two processes; an age effect whereby older respondents retire early or become inactive, and a cohort effect where employment levels are lower among this cohort (Russell et al., 2019b).

Regarding respondents with a disability, there are large differences in unemployment between those with a disability (9 per cent) and those without a disability (5 per cent). Respondents with a disability who are both available for work and seeking work may face issues in access to the labour market, noted above. They also may face issues finding work within the labour market (Banks et al., 2018; Watson et al., 2017b). This suggests a disadvantage for respondents with a disability.

We further look at differences between respondents born in Ireland and respondents born elsewhere. Respondents born in Ireland have an unemployment rate of 5 per cent, which is similar to those born in the United Kingdom (6 per cent) and those born elsewhere in the EU (5 per cent). This difference is not significant. Respondents born outside the EU have a higher rate of unemployment (7 per cent). This confirms our previous finding that migrants from outside the EU are at a disadvantage. However, we know that there is significant variance within this group because it contains those born in a large range of non-EU countries (McGinnity et al., 2020b). For example, certain migrant groups from outside the EU, especially those from countries with low levels of civil conflict, are over-represented in terms of employment and third-level education, while other groups (who come from more unstable economies with greater conflict) are specifically limited in their ability to find work or even to seek work (McGinnity et al., 2020b).

There are significant differences between married, single, and separated respondents in terms of unemployment. Single and separated respondents are the most likely to list unemployment (7 per cent), with married respondents being the least likely to list unemployment (2 per cent). This difference is statistically significant. We can also look at unemployment rates between respondents in different family compositions. Couples without children (3 per cent) have a similar rate of unemployment when compared to couples with children (3 per cent). Meanwhile lone parents (6 per cent) have a similar rate of unemployment when compared to entirely single households (6 per cent). Respondents

who live with their parents in a family setting (but who are over the age of 18) have higher rates of unemployment (11 per cent) out of all family groups.

Regarding differences between education groups, we again find that respondents without a third-level degree have higher rates of unemployment (7 per cent) when compared to respondents who hold a third-level degree (3 per cent). As noted above there may be several mechanisms at play in this finding, some of which can be attributed to age, and some of which may stem from differences in human capital or signalling theory. While human capital theory proposes that differences in education can be explained by differences in efficiency between those with and without a third-level education, signalling theory suggests that this difference stems from *the assumption* that workers without this type of education are less efficient – the signal. In this way, applicants with a third-level education are granted access to resources that improve their efficiency over time, resource that are not available to workers without a third-level education (Weiss, 1995). In general, we find significant disadvantages for respondents with a disability and for respondents born outside the European Union.

3.3.1 Unemployment among religious and ethnic groups

Once again, the LFS data highlight important group differences in unemployment but do not measure respondents' religion or ethnic group. These measures are available in the CSO Census of the Population for 2016, although it uses the self-reported Principal Employment Status definition of unemployment (see Section 3.2).

Among religious groups we note a particularly high unemployment rate among Muslim respondents (31 per cent) when compared to respondents without a religion (11 per cent). The remaining groups have comparable rates of unemployment.

Regarding differences between ethnic groups, we find that the vast majority of Irish Travellers are unemployed (80 per cent); this is consistent with previous research which found that Irish Travellers are an extremely disadvantaged group in the Irish labour market (Watson et al., 2017a; AITHS, 2010).[95] We also find that a substantial share of Black

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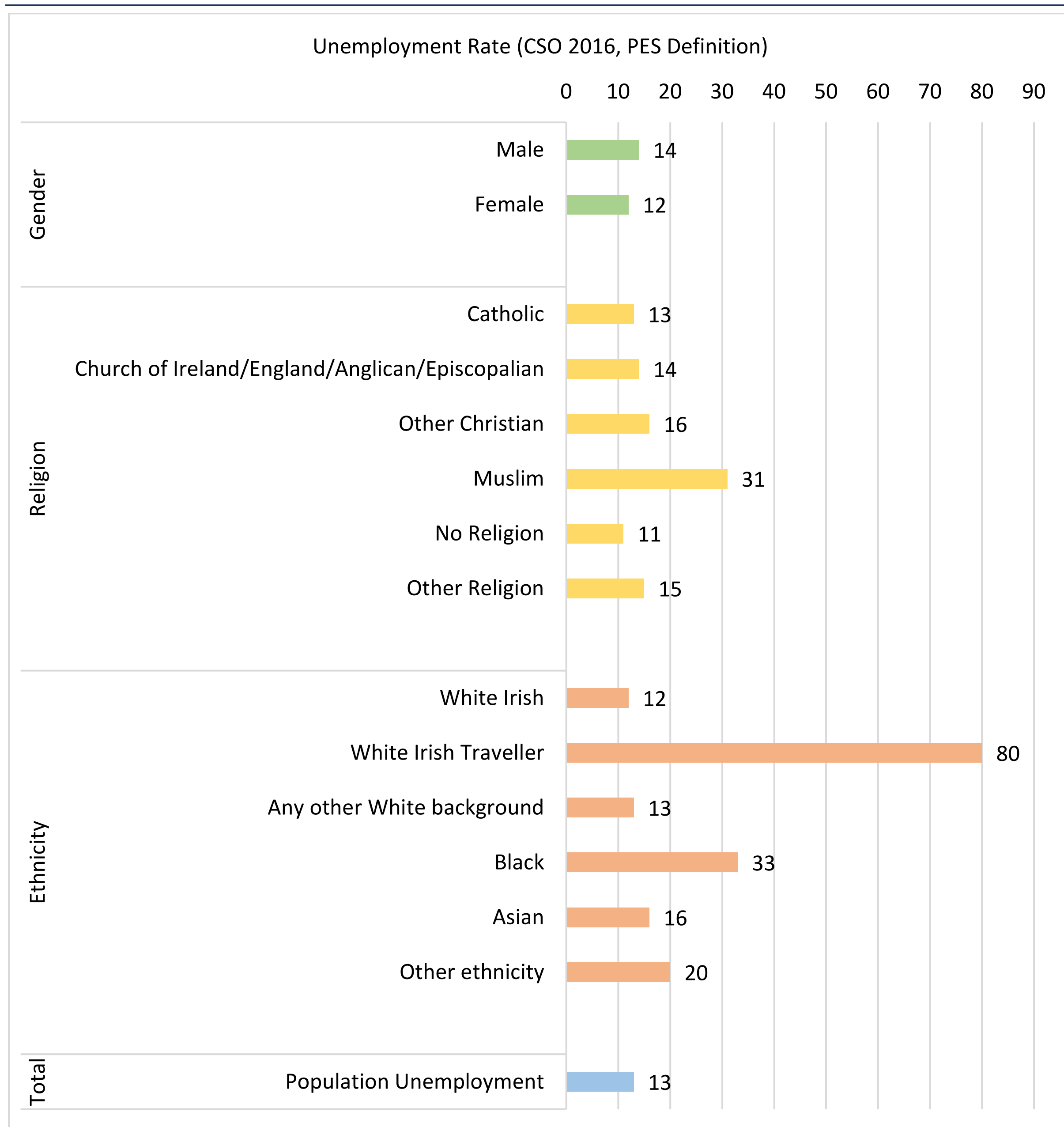
[95] Additional information about the link between Irish Traveller status and unemployment is available here https://www.cso.ie/en/releasesandpublications/ep/p-cp8iter/p8iter/p8itseah/

respondents is unemployed (33 per cent). These differences are wide and highlight a significant gap in Ireland's obligations to ICESCR involving the realisation of rights of certain groups, although, as before, the exact mechanism behind these differences warrants further research.

FIGURE 3.4 GROUP DIFFERENCES IN UNEMPLOYMENT RATES (CSO 2016)

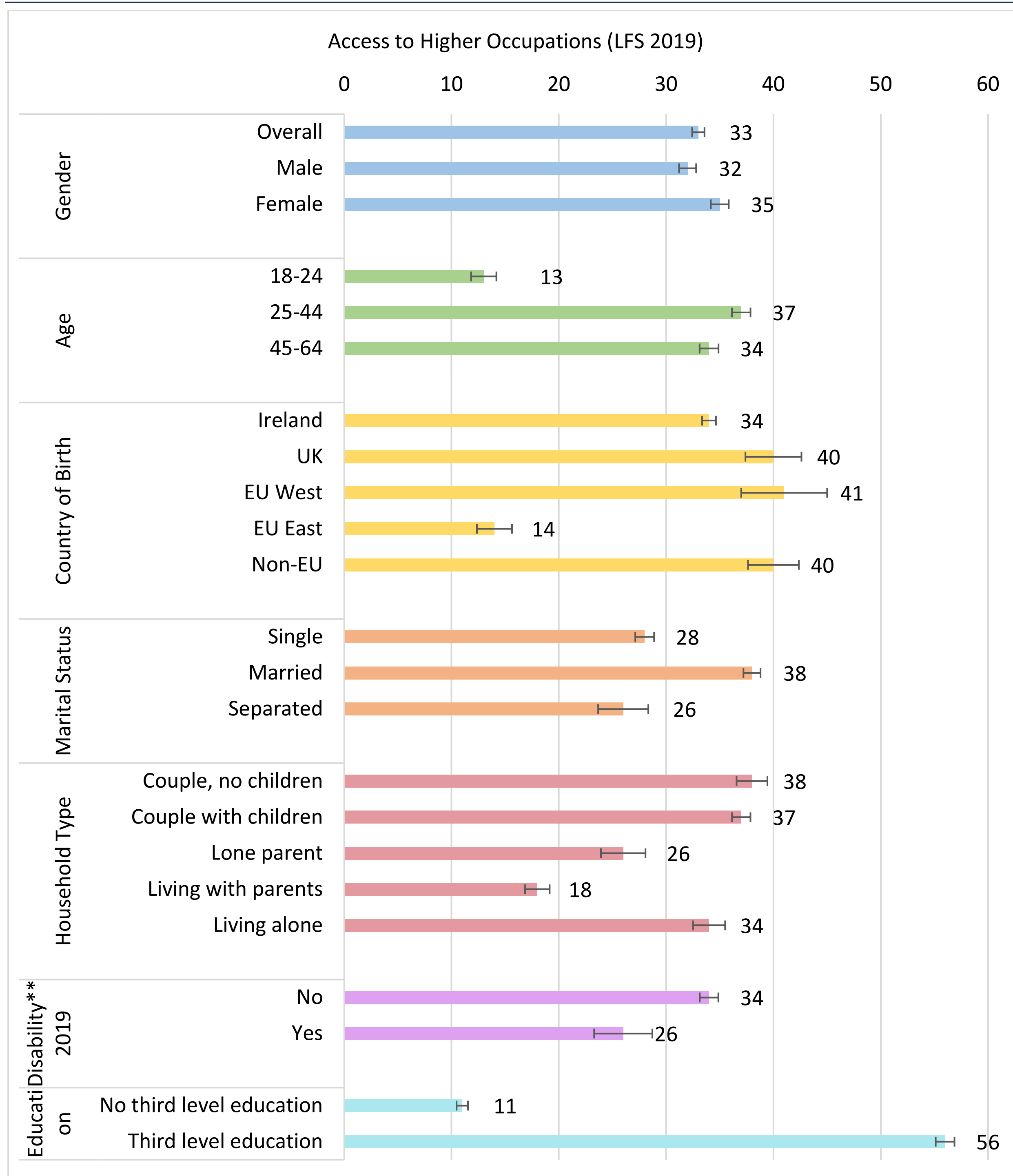


Source: CSO Census Figures (2016).
Notes: Figure lists proportions of the population aged 15 or over. Figures rely on principal economic status. There are no confidence intervals shown as the Census is not a sample.
1. Unemployment rate by gender was taken from the Census of Population 2016 Statbank table EB073.
2. Unemployment rate by religion was taken from the Census of Population 2016 Statbank table E8060.
3. Unemployment rate by ethnicity was taken from the Census of Population 2016 Statbank table E8008.

3.4 OCCUPATIONAL ATTAINMENT

Finally, the last figure lists differences in occupational attainment between groups. Overall, we see that 33 per cent of respondents held a high-skilled job in 2019. However, there are substantial differences between groups in terms of who holds these jobs.

FIGURE 3.5 GROUP DIFFERENCES IN OCCUPATIONAL ATTAINMENT (LFS Q1-Q4 2019)



Source: Labour Force Survey (Q1-Q4 2019).
Notes: All employed, aged 18-64. Figure lists proportions and 95 per cent confidence intervals by group.
** Due to data limitations group differences in disability are only available for Quarter 2 of the 2019 Labour Force Survey.

Focusing on gender differences, women (35 per cent) hold a significantly larger share of professional or managerial jobs when compared to men (32 per cent). This difference may stem from gender differences in education completed. Figures from Eurostat in 2018 show that the share of women in tertiary education is higher than that of men in most EU countries including Ireland (Eurostat, 2020). There are significant differences in occupational attainment between respondents who have a disability (26 per cent) and those who do not (34 per cent). Respondents without a disability are better able to secure high-skilled positions than those with a disability. This difference could also stem from the limited occupational choices available to respondents with a disability versus respondents without a disability and may reflect a lack of implementation of reasonable accommodation in the workplace for those with disabilities required by statutory law under the Employment Equality Acts 1998 to 2015.

Considering differences between migrants and respondents born in Ireland, we see that Irish respondents (34 per cent) have a lower rate of employment in professional or managerial jobs compared to respondents born in EU-West countries (41 per cent), the United Kingdom (40 per cent), and countries outside the EU (40 per cent). For non-EU nationals, these differences could be the result of migrant employment regulations, which grant permits to work only under certain conditions, typically high-skilled, high earning jobs (McGinnity et al., 2020b). Respondents born in Eastern Europe have the lowest rate of employment in professional or managerial occupations compared to all other groups, with just 14 per cent of these respondents working in such professions. This has been found in previous research and may in part reflect rates of third-level qualifications and poorer self-rated language skills among this group (McGinnity et al., 2020a; 2020b). Considering age differences, young respondents have the lowest occupational attainment with only 13 per cent working in professional or managerial occupations, compared to respondents aged 25-44 (37 per cent) and 45-64 (34 per cent). This difference is statistically significant and is likely to be influenced by two factors. First, younger respondents are more involved in education, and so those in work are more likely hold part-time positions.[96] Second, younger

[96] The ILO definition of employment used counts those with any hours of paid work per week as employed.

respondents under 25 years are less likely to have the experience or qualifications needed to hold professional and managerial positions.

Respondents who are married (38 per cent) have the highest rates of employment in professional or managerial occupations followed by single respondents (28 per cent). Respondents who are separated (26 per cent) reported the lowest rates of employment in these occupations. Couples without children (38 per cent), couples with children (37 per cent), and those who live alone (34 per cent) are more likely to have professional or managerial jobs than individuals who live with their parents (18 per cent) or lone parents (26 per cent). The low rates seen among those who live with their parents may be partially attributed to the younger age profile of this group.

Finally, respondents who have a third-level education (56 per cent) are significantly more likely to work in a professional or managerial occupation than those who do not (11 per cent). A significant portion of these differences likely stems from the educational requirements which are mandatory for particular sectors or access to many of the higher occupations. As mentioned above, differences in human capital explain the wider gap between those with and without a third-level education, and the wider gap between older and younger respondents. This demonstrates the importance of equality in education at all levels to ensure equity of opportunity across the life course.

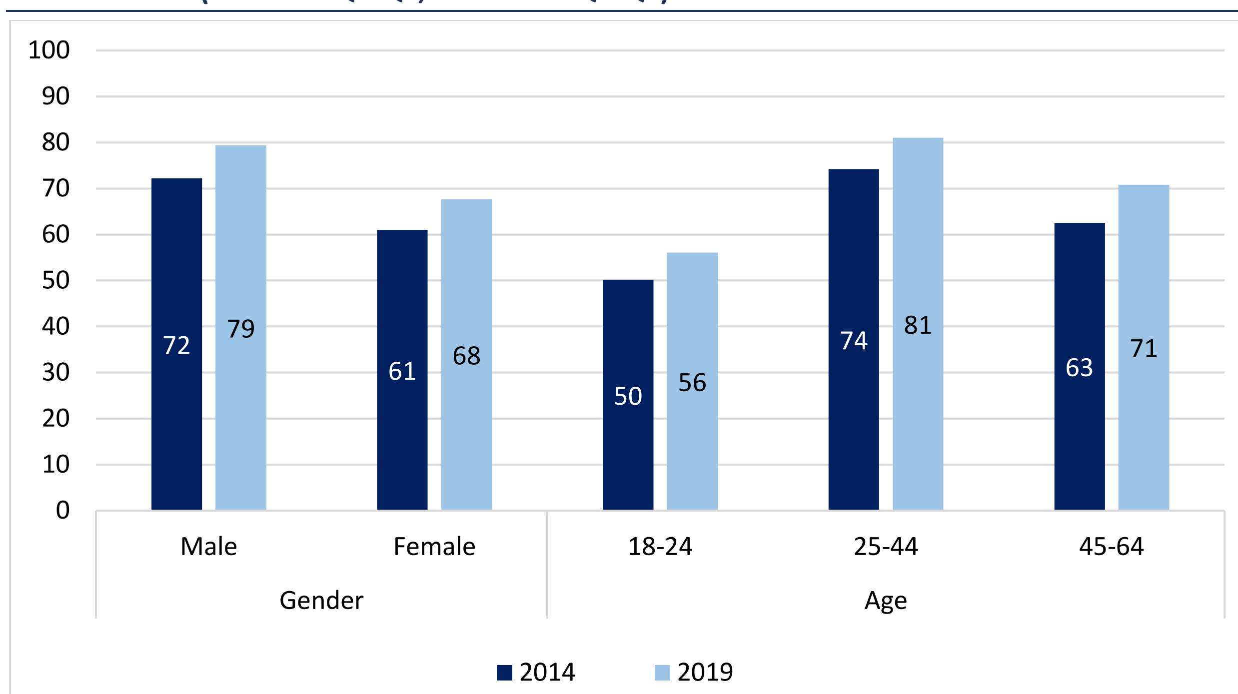
Overall, age plays a role in the differences in occupational attainment between many groups. Younger individuals are more likely to be single, currently in education or training, and living at home. However, certain differences between groups cannot be primarily attributed to age, such as the lower rate amongst those with disabilities, lone parents, and migrants from Eastern Europe. These differences highlight a potential gap in Ireland's obligation to workers.

3.5 CHANGES OVER TIME IN EMPLOYMENT RATES

This section considers how group differences have evolved. Specifically, we will compare group differences in employment rates using the ILO definition in 2014 to those in 2019, in keeping with employment growth and continued economic recovery described in Chapter 1. This offers a glimpse of trends over time. In general, employment rose for all in this period.

While all respondents have increased participation, group differences in employment have persisted since 2014.[97]

FIGURE 3.6 GENDER AND AGE DIFFERENCES IN EMPLOYMENT BETWEEN 2014 AND 2019 (LFS 2014 Q1-Q4, AND 2019 Q1-Q4)



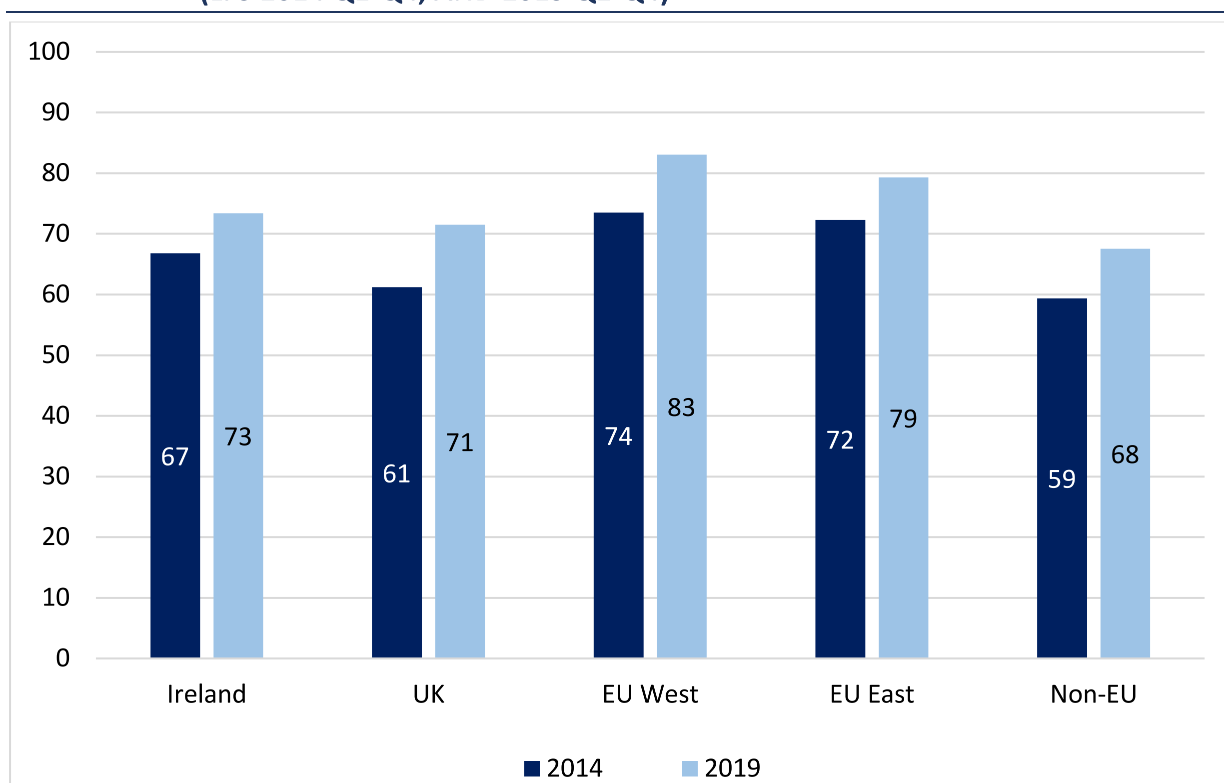
Source: Labour Force Survey (2014 Q1-Q4 and 2019 Q1-Q4).
Notes: All employed, aged 18-64. Figure lists proportion in employment.

Beginning with gender (Figure 3.6), the employment rate for men went from 72 per cent (2014) to 79 per cent (2019). This rate also increased for women going from 61 per cent to 68 per cent. Although employment grew for both genders, women have a lower employment rate when compared to men in both 2014 and 2019. Regarding age groups (Figure 3.6), employment grew slightly for respondents aged 18-24, increasing from 50 per cent to 56 per cent. This change was somewhat larger, in absolute terms, for respondents aged 25-44, increasing from 74 per cent to 81 per cent. The employment rate was highest for this group both in 2014 and 2019. Finally, the employment rate also grew substantially for workers aged 45-64, increasing from 63 per cent in 2014 to 71 per cent in 2019.

[97] Note the composition of these groups may differ somewhat in the two years, which may affect the comparison over time. Migration is particularly dynamic: highly qualified migrants might have come to Ireland between 2014 and 2019 and less qualified migrants left the country, for example. Without statistical modelling it is not possible to account for these differences.

The employment rate also grew for all migrant groups (Figure 3.7). Respondents born in the UK saw a large jump in employment, moving from 61 per cent in 2014 to 71 per cent in 2019. Respondents born in Western European countries (excluding the UK) also saw an increase in employment, moving from 74 per cent in 2014 to 83 per cent in 2019. Respondents from newer European Member States (EU-East) saw a similar increase in employment rates, rising from 72 per cent in 2014 to 79 per cent in 2019. Finally, migrants from non-EU countries have also seen a substantial change in their rate of employment, moving from 59 per cent in 2014 to 68 per cent in 2019. One challenge with comparing migrant employment rates over time is that the composition of migrant groups, in terms of education, skills and language background, may change over time, given immigration and emigration (McGinnity et al., 2020a).

FIGURE 3.7 COUNTRY OF BIRTH DIFFERENCES IN EMPLOYMENT BETWEEN 2014 AND 2019 (LFS 2014 Q1-Q4, AND 2019 Q1-Q4)

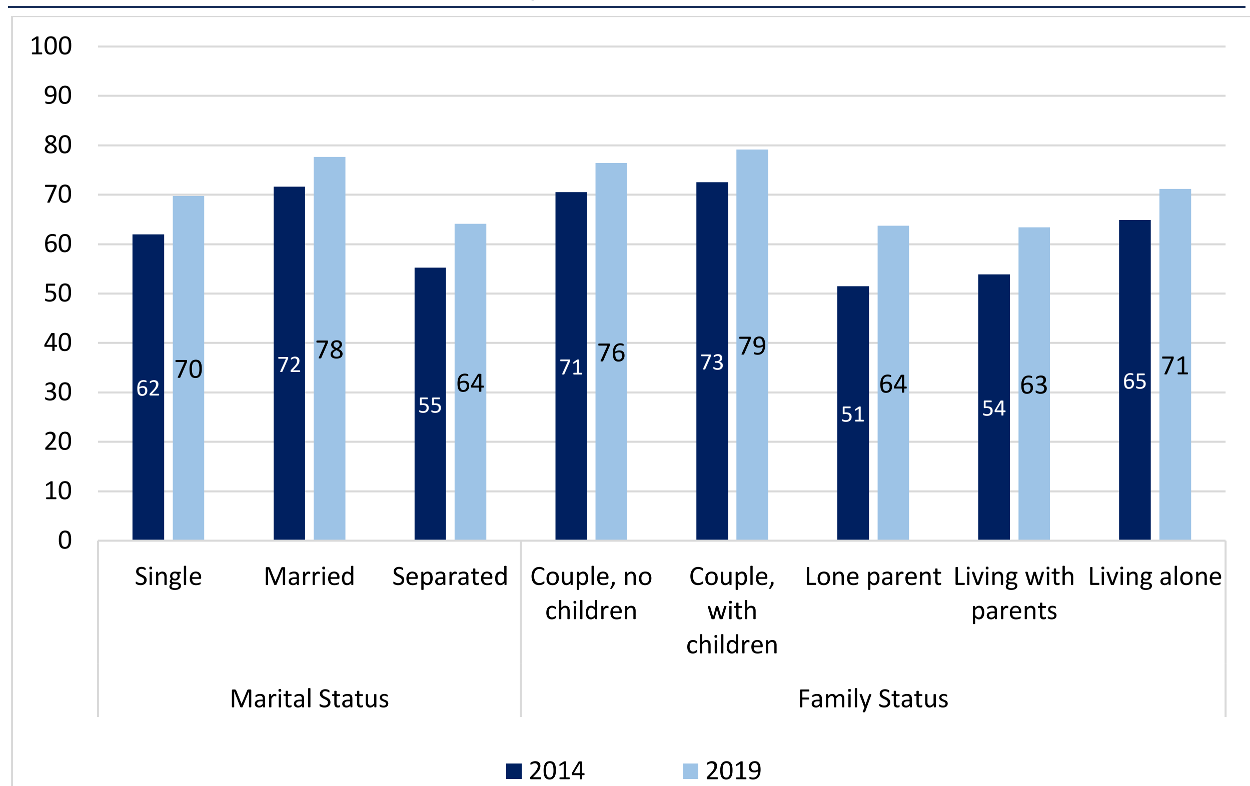


Source: Labour Force Survey (2014 Q1-Q4 and 2019 Q1-Q4).
Notes: All employed, aged 18-64. Figure lists proportion in employment.

The employment rate also changed for different marital groups (Figure 3.8). Single respondents increased their employment rate from 62 per cent to 70 per cent, while married respondents increased their employment rate from 72 per cent to 78 per cent in 2019. The largest change in employment came from respondents who were separated,

widowed, or divorced, whose employment rate rose from 55 to 64 per cent, an increase of 9 percentage points. As for family status, couples without children saw an increase in their employment rate from 71 per cent to 76 per cent. Couples with children experienced a similar change, with the rate increasing from 73 per cent to 79 per cent in 2019. The biggest difference is found for lone parents, who saw their employment rate increase from 51 per cent in 2014 to 64 per cent in 2019. Research by Redmond et al. (2020c) found that reforms in the One Parent Family Payment, which reduced the child qualifying age from 18 to 7, significantly impacted low parent employment, with those affected by the policy 12 per cent more likely to be working two and a half years following the policy change. Those living with parents also reported a large increase, moving from 54 per cent employment to 63 per cent employment in 2019. Respondents who were single or separated and living alone also saw an increase in their employment rate, moving from 65 per cent to 71 per cent.

FIGURE 3.8 FAMILY DIFFERENCES IN EMPLOYMENT BETWEEN 2014 AND 2019 (LFS 2014 Q1-Q4, AND 2019 Q1-Q2)

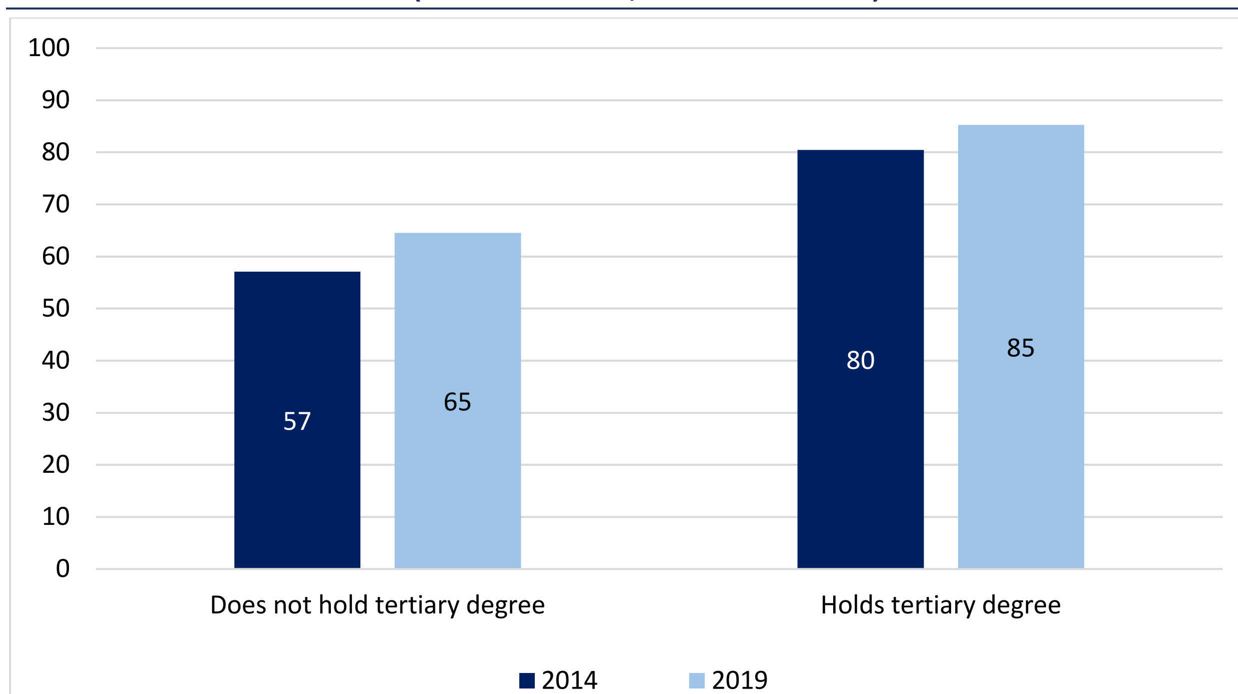


Source: Labour Force Survey (2014 Q1-Q4 and 2019 Q1 and Q2).
Notes: All employed, aged 18-64. Figure lists proportion in employment.

Finally, the employment rate increased for respondents with and without a tertiary education (Figure 3.9), with respondents without tertiary education reporting an employment rate of 57 per cent in 2014 and a rate of 65 per cent in 2019. Respondents with

a tertiary education had a rate of 80 per cent in 2014 and a rate of 85 per cent in 2019. The increase in employment was larger for respondents without a degree, most likely because the employment rate for respondents with a degree was already quite high.

FIGURE 3.9 DIFFERENCES IN EMPLOYMENT BY EDUCATIONAL QUALIFICATION BETWEEN 2014 AND 2019 (LFS 2014 Q1-Q4, AND 2019 Q1-Q2)



Source: Labour Force Survey (2014 Q1-Q4 and 2019 Q1 and Q2).
Notes: All employed, aged 18-64. Figure lists proportion in employment.

More than anything what these findings underscore is the importance of the economic cycle for understanding access to jobs. Employment rates grew for all groups considered in this period, 2014-2019. Not all groups are able to access their right to employment to the same extent, but in periods of job growth access to employment increases for most.[98]

3.6 SUMMARY OF FINDINGS

In general, we find several group differences in access to work and access to high-skilled work. Some of these gaps can be explained by age differences between groups. For example, younger respondents report lower employment, which is partly explained by their

[98] We cannot rule out that for certain groups not measured in Labour Force Survey data, like Travellers, the employment rate did not rise in this period.

participation in education;[99] since many single people are young and people who live with parents are also young, the differences reflected in these groups will be linked to employment differences by age.

Despite this, other groups point to substantial gaps in equality, like the difference between those with and without a disability. Those with a disability report far lower levels of access to the labour market when compared to those without a disability. Further, those with a disability report higher levels of unemployment when we consider those who are not currently working but are available to work; they also report lower levels of occupational attainment when compared to those without a disability. The several substantial gaps between persons with and without a disability suggest this should be a priority for Ireland's implementation of CRPD.

We also find substantial differences in employment and unemployment between ethnic groups with White Irish Travellers and Black respondents reporting higher unemployment and lower employment rates compared to other ethnic groups. These differences are large and suggest a significant gap in Ireland's obligations to ICESCR involving the realisation of rights of both Black and Irish Traveller groups. Further research should be conducted to investigate the mechanisms behind these differences.

Lastly, we find that group differences are consistent over time. While comparing differences in employment rates, we noted that while the rates have changed for specific groups since 2014, the differences between groups in terms of employment persisted to 2019. It is also interesting to note that the employment rate rose for all the groups that could be measured with Labour Force Survey data. This underscores the importance of the economic cycle and overall availability of jobs: it implies that it is easier to realise the right to work for many when there are more jobs available.

The *National Strategy for Women and Girls 2017-2020* contains a commitment to consider developing an action specifically to increase the employment rate of women in different

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99 Though not completely, given younger adults have higher unemployment rates too, and the unemployment rate excludes those in full-time education.

groups (for example lone parents),[100] however our results show that significantly lower employment rates among both lone parents and women still exist in 2019. Although other factors may contribute to these lower employment rates, it is imperative that women and lone parents have the sufficient resources, for example childcare, to enter the workforce.

Finally, it appears that non-EU migrants report lower employment and high unemployment when compared to Irish-born, and EU-East migrants report lower occupational attainment than Irish-born.

3.7 DATA RECOMMENDATIONS

We find two significant data limitations when assessing group differences in access to work. First, the Labour Force Survey measures whether respondents had a disability between the years of 2016 and 2018, however these measures were not included in the data. This is because the survey is reconsidering its definition of a disability. This reconfiguration will likely have an impact on disability trends over time, with an increase or a decrease likely to be recorded in those years. This change in rates will not reflect a change in the actual incidence of disability in the population, but rather how this is measured in the Labour Force Survey.

Second, the Labour Force Survey does not contain measures of respondents' ethnicity, religion, sexual orientation, or transgender identity. Some, but not all, of these data are available in the national Census. However, the Census is only collected every five years, the labour market definitions differ from the Labour Force Survey and Census data are only accessible for research in very specific circumstances. Introducing such measures into the Labour Force Survey would considerably expand our knowledge of group differences in employment in Ireland.

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[100] Action 1.13 *National Strategy for Women and Girls 2017-2020*.

CHAPTER 4

Adequate earnings

Earnings are a key dimension in all frameworks of decent work and job quality. The ILO framework for measuring decent work includes 'adequate earnings and productive work' as one of the ten substantive elements. The UK framework for monitoring equality and human rights includes earnings as a core indicator, arguing that:

> *Earnings, including the extent of pay gaps and prevalence of low pay, is a good indicator to assess how people's rights to fair wages and remuneration for work of equal value are protected.*

Earnings are also a central element of the OECD job quality framework.

In this chapter, we consider adequate earnings as a dimension of decent work. The State has an obligation under Article 7.1(a) of ICESCR and Article 20(c) of the European Social Charter to ensure that workers are given equal pay for employment. In addition, both ICESCR[101] and the European Social Charter[102] requires States to recognise the right to a fair wage. The State is also required to realise the right to non-discrimination by specifying equal renumeration for work across equality groups such as women,[103] racial and ethnic minorities,[104] those with disabilities,[105] and migrant workers.[106] The right to equal treatment for male and female workers with family responsibilities is also addressed under the European Social Charter.[107] Article 7(a) of ICESCR also specifically states that employees should be able to have 'a decent living for themselves and their families' (see online appendix for more details on international instruments).

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[101] ICESCR Article 7.1(a) GC No. 23, para 10.
[102] Article 4 (1)-(5).
[103] CEDAW Article 11.1 (d).
[104] CERD Article 5(e) (i).
[105] CRPD Article 27.1.
[106] European Social Charter Article 19 4(a).
[107] Article 27 (1)-(3).

Adequate earnings are generally addressed in national policies such as the *Pathways to Work Strategy 2016-2020*. Actions 7 to 9 of this strategy aim to incentivise the take-up of opportunities, particularly to ensure that 'work pays' when people who are unemployed (including people with disabilities, carers and lone parents) transition from welfare to employment. In *Pathways to Work Strategy 2016-2020* the State also commits to ensure that the minimum wage is increased incrementally to help as many low paid employees as possible (Article 7.1). The Low Pay Commission makes recommendations to the government annually regarding adjustment of the minimum wage. The aim of the Commission is to have a minimum wage which is both 'fair and sustainable and helps as many people as possible' (Low Pay Commission, 2019).

The adequate earnings dimension of decent work is largely unaddressed in national equality strategies with the exception of the *National Strategy for Women and Girls 2017-2020.* This strategy commits to raising the National Minimum Wage to €10.50 an hour 'if doing so aligns to the recommendations of the Low Pay Commission'.[108] The strategy also provides to 'examine the existing suite of in-work supports for families, including lone parent families' to inform the development of a 'Working Family Payment' with a view to 'make work pay'.[109] There are ongoing policy measures that aim to 'make work pay' for people with disabilities too, but in both cases these initiatives might be better categorised as efforts to improve access to work rather than the adequacy of earnings. In this chapter we will examine whether earnings differ across equality groups; any differences in pay may suggest differing job quality between groups.

4.1 ANALYTICAL APPROACH

The purpose of this chapter is to estimate the extent of adequate earnings in Ireland and the main differences in adequate earnings across seven groups: gender, age, marital status, household type, disability, education, and nationality.

Low pay is measured in a variety of ways. The European Commission and the OECD adopt the threshold of two-thirds of median earnings as the measure of low pay. Where workers

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108 Action 1.14, *National Strategy for Women and Girls 2017-2020.*
109 Action 1.33, *National Strategy for Women and Girls 2017-2020.*

earn less than this threshold per hour this is termed 'low wage employment', while 'low earnings' is used to describe those who earn less than this threshold on a weekly, monthly, or annual basis. The ILO also uses the tw0-thirds of median hourly earnings threshold in their definition of employees with a low pay rate (ELPR). For the analysis in this chapter, low pay rates were calculated using two measures. The first measure is the proportion of employees earning less than two-thirds of median hourly earnings. This equates to less than €11.13 an hour for 2018 and less than €12.16 an hour for 2019. The second measure is the proportion of employees earning less than two-thirds of median weekly earnings. For weekly earnings, this equates to less than €600 a week for 2018 and less than €633 a week for 2019. Both indicators are before tax (gross earnings).

These are relative measures, which means that they identify those who fall significantly below the median wage (the halfway point in the wage distribution) or median weekly earnings in society. Countries with high levels of earnings inequality are likely to have a higher proportion of workers below this threshold (McKnight et al., 2017). These measures have the advantage of being comparable across countries where there are rather different prevailing levels of pay. Therefore, it is possible to place the results that we find for Ireland into broader context. The hourly low pay rate has the advantage of being independent of hours worked, and therefore provides a clear sense of differential rewards for the same amount of labour across different groups of workers.[110] We checked results using an alternative measure of hourly wages, the National Living Wage (NLW). In Ireland, the Living Wage Technical group sets out to 'establish an hourly wage rate that should provide employees with sufficient income to achieve an agreed acceptable minimum standard of living'. The Living Wage rate is calculated on the basis of full-time employment, with the assumption of 39 hours in the working week (Living Wage Technical Group, 2020). As such then this is an 'absolute' as opposed to a relative measure like the low hourly pay rate.[111]

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110 For the same reason gross hourly wages are generally the preferred metric for measuring the gender pay gap. The UK Measurement Framework for Equality and Human Rights tracks median hourly employee earnings across protected groups as the statistical outcome indicator within the earnings domain (EHRC, 2017, p. 83). Low pay, the proportion of workers on the minimum wage, and the gender wage gap are mentioned as further 'topics'.

111 The goods and services needed for a Minimum Essential Standard of Living (MESL) are derived through focus group research, which are then costed for a variety of household types.

In 2019, the Living Wage was set at €12.30 an hour (see Living Wage Technical Group, 2020). Employees whose hourly earnings are below this are below the Living Wage.

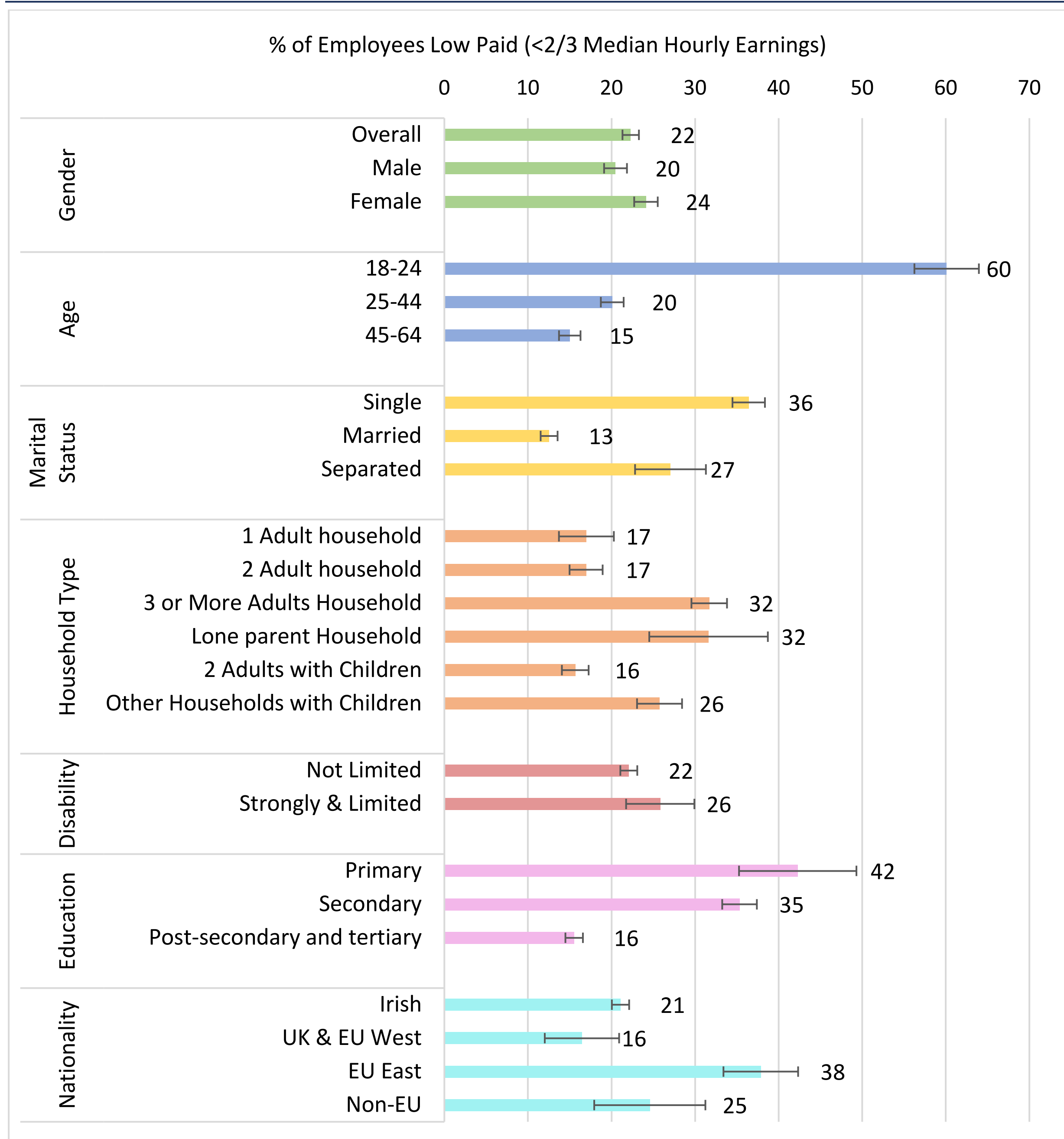
The weekly low pay rate presented in the second half of this chapter is defined as those earning less than two-thirds of the median weekly income. Weekly earnings are influenced by hours worked and all else being equal those working fewer hours per week will have lower weekly earnings. We use gross earnings before taxes or transfers because this best represents the characteristics of the job rather than the efforts of the State to effect redistribution. Weekly low pay may provide a further insight into earnings adequacy. Someone who does not fall below an hourly pay threshold but may still have inadequate earnings because they are not given sufficient working hours or because they are unable to work full-time because of health, disability, caring or other commitments.

None of these measures take account of household needs (see Chapter 2) and therefore do not claim to measure income adequacy. The same weekly earnings will cover the needs of some households but not others. Inadequate income or poverty is conventionally measured at the household level and is determined not only by the earnings of adults within the households, but also by social transfers, unearned income, and the needs of the households.

4.2 HOURLY LOW PAY

Figure 4.1 examines group differences in hourly low pay across groups. Overall, 22 per cent of employees in Ireland are found to be low paid using this measure. Women (24 per cent) were significantly more likely to be in low paid work compared to men (20 per cent).

FIGURE 4.1 GROUP DIFFERENCES IN HOURLY LOW PAY (SILC 2018 AND 2019 COMBINED)



Source: Survey on Income and Living Conditions (2018 and 2019 combined).
Notes: Includes employees working full-time and part-time, restricted to those aged 18-64. Data are weighted. Figure lists proportions and 95 per cent confidence intervals by group. Where confidence intervals do not overlap, the differences are significant.

Respondents aged between 18 and 24 (60 per cent) had significantly higher rates of low pay compared to those aged 25 to 44 (20 per cent) and 45 to 64 (15 per cent). Analysis of the National Minimum Wage (NMW) in Ireland shows that young people are over-represented among those on the NMW (Redmond et al., 2018). Grotti et al. (2019b) note that young workers find it easier to get low paying and low-skilled jobs as older workers are less likely to apply for this kind of work.

Respondents who were never married (36 per cent) also had significantly higher rates of low paid employment compared to married (13 per cent) or separated employees (27 per cent). This may be related to the other characteristics of respondents rather than marital status itself. Factors such as education level, age, social class, and health status influence both marital status and earnings capacity. However, a direct effect of marital status is possible for some; for example research has found an earnings premium for married men, all else being equal (Pollman-Schult, 2010).

Eastern European workers had higher rates of low paid employment compared to Irish workers and all other non-Irish national groups. Previous research has shown that non-Irish nationals are over-represented among those on the NMW, and they are more likely to be trapped in minimum wage jobs for a longer time period (Redmond et al., 2018). Earlier research on the earnings gap between migrants and Irish nationals in Ireland has found that immigrants on average receive lower returns to their qualifications, with East Europeans at work experiencing the largest earnings disadvantage (Barrett et al., 2016).

A significant effect was also found for educational attainment with the likelihood of working in low paid employment decreasing as educational attainment increases. Respondents with primary education (42 per cent) were significantly more likely to be in low paid employment than those with post-secondary and tertiary education (16 per cent). This is likely to be related to differences in occupational attainment and to be driven mainly by skills and productivity differences rather than discrimination on the basis of social origin. Research by Maître et al. (2017) found that much of the disadvantage associated with low educational attainment is 'explained by a combination of job type variables and a higher relative concentration in low paid occupations'.

Lone parent families (32 per cent) were significantly more likely to report low pay in their jobs compared to two parent households with children (16 per cent). Watson et al. (2011) note that lone parenthood is associated with lower educational attainment and low paying employment. There may be a confounding effect of education, which may account for some of these differences, however this is not considered explicitly in the monitoring exercise. Low hourly wages may also be associated with part-time employment (Mason and Salverda, 2010) and previous research has found that lone parents in Ireland are more likely to be

employed part-time (OECD, 2014a). Those living in multiple adult households (32 per cent) were also significantly more likely to report low pay compared to two adult (17 per cent) and one adult households (17 per cent). Such multiple adult households will include younger workers, who are often the adult children of the head of household.

There was no significant difference found between those with (26 per cent) and without disabilities (22 per cent) (defined in the SILC data as those who were limited in activities people usually do, because of a health problem for at least during the last six months). While previous research on social exclusion among people with a disability has mainly highlighted difficulties in accessing employment, there is some evidence of wage inequalities among those in jobs (Gannon and Nolan, 2004). The lack of significant difference here may be due to the small number of respondents in this category.

When we examined the proportion of each group falling below the National Living Wage in 2018 and 2019 using SILC data, the patterns found were very similar, so are not presented here.[112] This is not surprising, as the thresholds are similar. For 2019 the two-thirds of median wages threshold was €12.16 per hour and the Living Wage was €12.30 per hour.

4.3 WEEKLY LOW PAY

Figure 4.2 presents group differences in weekly low pay. Overall, we find that 27 per cent of respondents are low paid when we consider a weekly measure. Whilst the proportion of men classified as low paid did not change between the hourly and weekly measure (20 per cent), the proportion of women categorised as low paid jumped from 24 per cent to 34 per cent. This is likely due to higher rates of part-time employment among women. Between 2002 and 2018, part-time work made up approximately 29 per cent of all employment for women (Callaghan et al., 2018).

Similar to hourly rate results, we find that the proportion of employees who are low paid decreases with age using the weekly definition with significantly more respondents aged

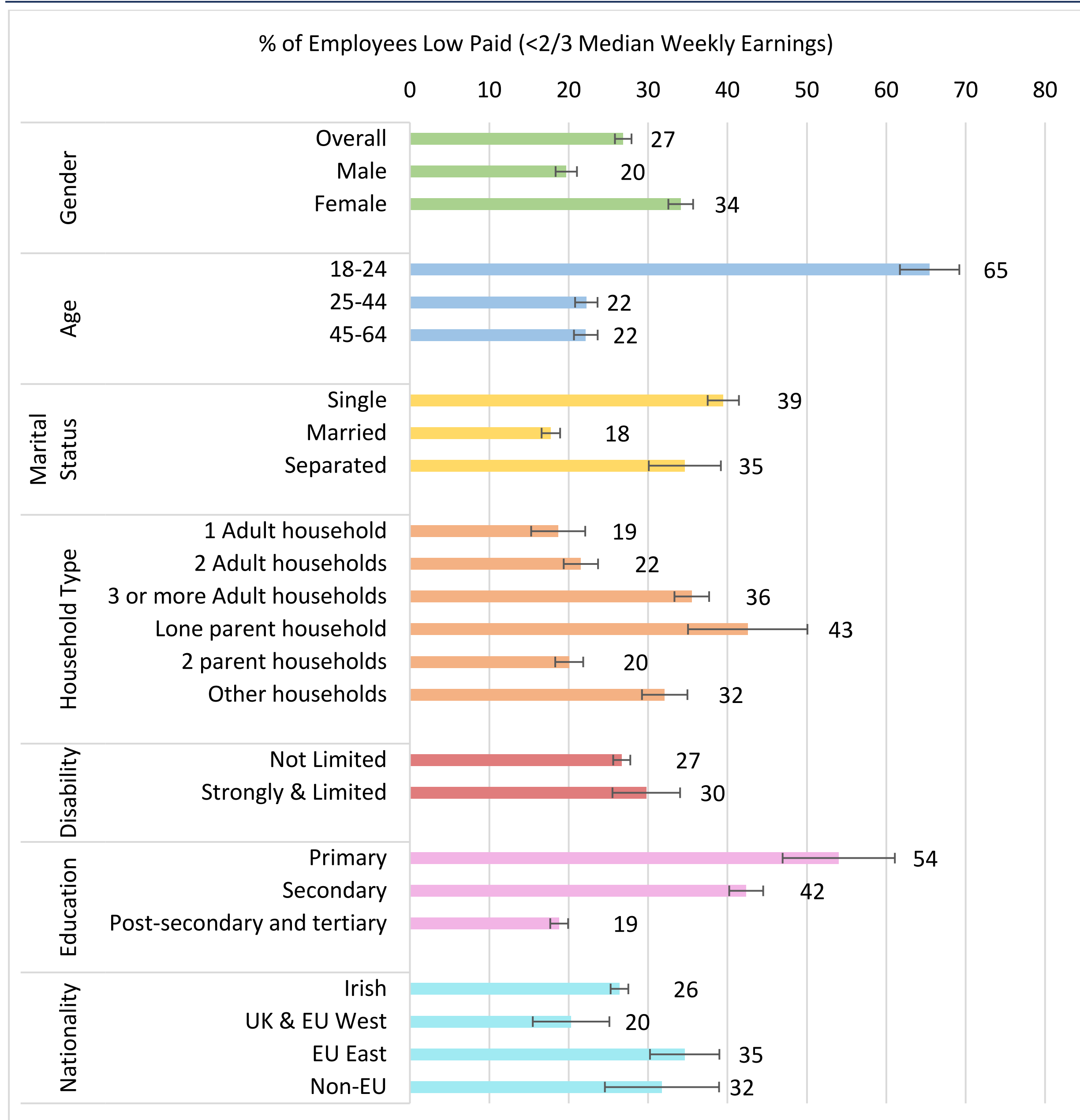
[112] The results are available from the authors on request.

18-24 (65 per cent) earning less than two-thirds median weekly earnings compared to those aged 25-44 and 45-64 (22 per cent).

Regarding marital status, respondents who are married (18 per cent) are significantly less likely to be classified as low paid compared to single (39 per cent) or separated respondents (35 per cent). Again, this difference may be due to some factors outlined in the hourly wages section above such as age, but also hours of work in this case. Young, single people may work fewer hours on average if they are combining work and study for example.

As with hourly low pay, the likelihood of earning less than two-thirds median weekly wages decreased as educational attainment increased. We can also see that Eastern European nationals (35 per cent) were significantly more likely to have low weekly earnings compared to respondents who were Irish nationals (26 per cent) and UK and Western European nationals (20 per cent). A slightly higher proportion of non-EU nationals earn low weekly wages, though the large confidence interval indicates considerable variability here. The fact that this group does not stand out in hourly wages suggest that some of the difference may be to do with hours worked.

FIGURE 4.2 GROUP DIFFERENCES IN WEEKLY LOW PAY (SILC 2018 AND 2019 COMBINED)



Source: Survey on Income and Living Conditions (2018 and 2019 combined).
Notes: Includes employees working full-time and part-time, restricted to those aged 18-64. Data are weighted. Figure lists proportions and 95 per cent confidence intervals by group. Where confidence intervals do not overlap, the differences are significant.

Looking at household types, we find that those living in lone parent households (43 per cent) are significantly more likely to be in low paid weekly employment compared to two parent households (20 per cent) and all other household groups, with the exception of those living in households with three or more adults (36 per cent). As mentioned previously, the high rates of low pay among lone parents may be due to their high levels of part-time working in Ireland (OECD, 2014a), as well as having low hourly wages.

4.4 SUMMARY OF FINDINGS

The results presented identify a number of groups that have a significantly higher risks of low pay, including young people, migrants from Eastern Europe, lone parents, and those with low educational qualifications. The results are consistent on both measures. Others – namely women – have lower weekly pay than men, but not low hourly pay, which is presumably linked to lower hours worked, but does have implications for financial independence.

The lack of adequate earnings for workers who are lone parents could be partly related to the lower educational attainment levels associated with this group (Watson et al., 2011) in addition to their high levels of part-time employment (OECD, 2015). The importance of education in improving earnings is evident in the *National Strategy for Women and Girls 2017-2020* with improving access to education and training for lone parents and the socially excluded as one of the measures proposed to advance socio-economic equality for women and girls.

Low pay among Eastern European migrants is consistent with other research which shows that this group has lower occupational attainment (McGinnity et al., 2020b) and lower returns to their educational qualifications (Barrett et al., 2016). Redmond et al. (2018) also find that non-Irish nationals as a whole are more likely to earn the minimum wage. The findings in this chapter show that over a third of Eastern European nationals are low paid regardless of whether we use an hourly or weekly definition.

The presence of significant gender differences in low pay reflects findings on the National Minimum Wage, which shows that women were more than twice as likely as men to be in minimum wage employment (6.9 per cent v. 2.7 per cent) (Maître et al., 2017). It appears consistent with the persistent gender wage gap, which currently stands at 14 per cent (CSO). Although these are different measures – the National Minimum Wage focuses on the very bottom of the distribution and the gender pay gap also looks at mean wages across the whole wage distribution, whereas the low pay figure looks at less than two-thirds median earnings – the findings are in the same direction with women earning less than men. The *Pathways to Work Strategy 2016-2020* aims to ensure that ‘work pays’ when people who are unemployed transition from welfare to employment. Although raising the minimum

wage was addressed in the *National Strategy for Women and Girls 2017-2020* it is not addressed in any of the other national equality strategies in Ireland. Earnings as a whole are largely unaddressed within national strategies. Future iterations of these strategies should consider issues relating to decent work as a whole, such as pay, rather than focusing solely on labour market activation.

4.5 DATA RECOMMENDATIONS

Although the Survey of Income and Living Conditions (SILC) collected data on migrants, the number of respondents in certain migrant groups was too small to allow for disaggregation. SILC also does not contain information on religion, ethnicity, sexual orientation, or transgender identity. Future Surveys on Income and Living conditions would ideally have an increased sample size to allow for disaggregated data analysis on migrants. Questions on respondents' religion, ethnicity, sexual orientation, and transgender identity should also be usefully collected, though here too the small sample size in SILC would limit analysis.

An alternative strategy for the analysis of wages in Ireland would be to supplement the Labour Force Survey with wage data, either by collecting data as part of the survey, or matching wage data from another source (e.g. Revenue). This could potentially facilitate distinguishing wages for important migrant groups, as well as ethnic and religious groups, if information on these groups were collected on the Labour Force Survey. Such matching has already been carried out by the CSO in the LFS Earnings Analysis using Administrative Data Sources, and this could be expanded for additional years and individual level characteristics from other sources (for example ethnicity from Census).

A recent special module of the Survey of Income and Living Conditions on the intergenerational transmission of disadvantage offers an excellent opportunity to examine outcomes such as current employment on the basis of social origin (the respondents' household situation as a teenager).[113] The survey was fielded in 2019 but will soon be available for analysis.

[113] For further details see: https://www.cso.ie/en/releasesandpublications/ep/p-smitd/silcmoduleontheintergenerationaltransmissionofdisadvantages2019/.

CHAPTER 5

Employee voice

This chapter considers employee voice; it does so by presenting rates of trade union and staff association membership and measuring group differences in these outcomes. Collective bargaining – negotiations between trade unions and employers or employers' organisations to set wages and working conditions – is a key labour market institution (Eichhorst et al., 2018). ICESCR recognises the right for everyone to join trade unions[114] as well as the 'opportunity for promotion free from reprisals related to trade union activity'.[115] The European Social Charter recognises both the right to organise[116] as well as bargain collectively.[117] Collective complaints have been previously been registered in Ireland where Ireland has been found in violation of Articles 5 and 6 of the European Social Charter as certain groups such as Garda Sergeants and Inspectors,[118] and the defence forces[119] were found to not fully enjoy trade union rights. Other international bodies recognise the right to join trade unions without any distinction on race, colour or national or ethnic origin,[120] or disabilities[121] (see online appendix for more details on international instruments).

Article 40.6.1 of the Irish Constitution confers the right of freedom of association to join a trade union. However, trade unions have no legislative right to be recognised in the workplace for collective bargaining purposes and employees have no right to make representations to their employer through their union.[122] For this reason, an anomaly exists where many union members (one-third of all union members in 2013) are members of unions which cannot engage in collective bargaining with an employer on their behalf.[123]

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114 ICESCR Article 8.1(a), Article 6 GC No. 18 para 12(c).
115 GC No. 23 para 31.
116 ESC Article 5.
117 ESC Article 6.
118 No. 112/2014 *European Organisation of Military Associations (EUROMIL) v. Ireland.*
119 *Ibid.*
120 CERD Article 5(e) (ii).
121 CRPD Article 27.1(c).
122 Irish Congress of Trade Unions, *Realising the Transformative Effect of Social Dialogue and Collective Bargaining in Ireland*, p. 8.
123 Turner, T. and M. O'Sullivan (2013). 'Economic crisis and the restructuring of wage setting mechanisms for vulnerable workers in Ireland', *The Economic and Social Review*, 44, 197-219.

Trade union membership is largely unaddressed in overall employment strategies or equality strategies in Ireland. Trade union activity is referenced in the first action plan under the *Comprehensive Employment Strategy for People with Disabilities 2015-2024* which sets out a commitment to develop a training programme for disability champions, trade union representatives, and shop stewards to assist employers in supporting employees with an acquired disability to return to work,[124] and further commitment for trade unions and business representatives to work in partnership to increase employment opportunities for people with disabilities.[125] However, these policy initiatives focus on improving trade union supports and employment opportunities, rather than access to trade union membership and recognition.

A key issue noted throughout the chapter is the conflation of trade union membership and staff associations in the Labour Force Survey (LFS). These trade union memberships are considered together but are markedly different. In an effort to comment further on trade union membership in Ireland, we turn to more recent data in the Visser (2011) dataset. Using these data, we compare Ireland's trade union Coverage and trade union Density with three other countries (Denmark, France, Germany and the UK). Ireland's Trade Union membership rates (trade union Density) are lower than the countries considered, and its Coverage rate tends to be closer to trade union membership rates, suggesting bargaining is focused mostly on trade union members.

This chapter uses data from the Labour Force Survey (LFS) and the European Working Conditions Survey (EWCS) to look for relevant differences in employee voice. While some workers avoid trade union or staff association membership for personal reasons or personal beliefs, group differences in union or staff association membership may suggest issues with access or representation for specific groups or sectors. In this chapter we will further highlight the importance of trade union Coverage, which captures the extent to which workers are covered by trade union agreements, despite not necessarily holding trade union membership themselves. This is especially common in for public sector jobs like teachers,

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[124] Action 4.4, *Comprehensive Employment Strategy for People with Disabilities 2015-2024: Phase one Action Plan 2015-2017*.

[125] Action 6.8, *Comprehensive Employment Strategy for People with Disabilities 2015-2024: Phase one Action Plan 2015-2017*.

who may not individually hold trade union membership, but benefit from wider agreements secured by trade unions or staff associations on behalf of their occupation.

5.1 ANALYTICAL APPROACH

This section discusses our approach and the indicators considered. Our main goals are to consider the overall rate of trade union and staff association membership, and to estimate the main differences in employee voice across seven groups: gender, age, country of birth, marital status, family type, disability status, and education type. Although we cannot make causal claims about the nature of these differences, they are worth noting since they focus attention on groups which may be vulnerable to social exclusion and low-quality and low paid jobs.

We focus on two outcomes throughout; rates of trade union or staff association[126] membership, and full control over workplace tasks. The first measure is taken from Ireland's Labour Force Survey, discussed in the methodology. The second measure is from the European Working Conditions Survey and this measure is more technical than the first. It relies on counting the number of respondents who have full control over their order, method, and speed of work. Many respondents have control over just one of these aspects, many respondents have no control over any of these. Instead of presenting every permutation of order, method, and speed, we instead only consider respondents who say 'yes' to each of these measures. This measure of job control also relies more on the respondent's assessment of their job and how much control they have, as such it is clearly a subjective measure of employee's experience of work.

5.2 GROUP DIFFERENCES IN UNION OR STAFF ASSOCIATION MEMBERSHIP

For workers, collective bargaining is a means of protection (of pay and working conditions), voice and empowerment (collective expression of grievances and participation in the

[126] The Labour Force Survey asks respondents the following 'Are you a member of a trade union or staff association that represents its members in labour and industrial relations issues?' The question is only answered by employees, those on a State-sponsored employment scheme or those on a Community Employment Scheme. There is no way to differentiate between trade union and staff association membership. In an effort to comment more on employee voice we draw from macro level indicators of trade union Density (Visser, 2011).

success of the enterprise), and distribution (fair share of benefits of training, technology, and productivity growth) (Visser, 2016). For employers, collective bargaining aims at conflict management, providing for dispute resolution and legitimising managerial control through joint rules (ibid). As a voluntary process between independent and autonomous parties, collective bargaining presupposes independent employee representation.

Trade union membership has several benefits for workers. Blanchflower and Bryson (2003; 2004) find that trade union members see a wage premium but later note that this premium has declined over time (Bryson and Willman, 2007). Although trade union members often report lower job satisfaction than non-members, Bryson et al. (2004) argue that this effect is more closely tied to dissatisfied workers seeking union membership, rather than union membership causing dissatisfaction. Further, trade union membership appears to increase worker satisfaction with pay, and not just pay itself, suggesting that the match between pay and tasks appears to be better for trade union members (Bryson et al., 2004). Others from a labour market segmentation perspective have highlighted that the right to representation may vary considerably from one segment of the labour market to another (Rubery, 1978). Some parts of the labour market are characterised by jobs that offer job security, employee representation, training, have promotion prospects and are well paid; in the secondary labour market segment, workers are typically not represented by trade unions, have poor prospects and unstable jobs.

We find that 26 per cent of the employed population are trade union or staff association members in Ireland. Women (29 per cent) are more likely to be trade union members when compared to men (22 per cent). This difference is statistically significant and could reflect the gender difference normally found in particular sectors, with women being more likely to work in public sector jobs when compared to men in Ireland (Russell et al., 2014).

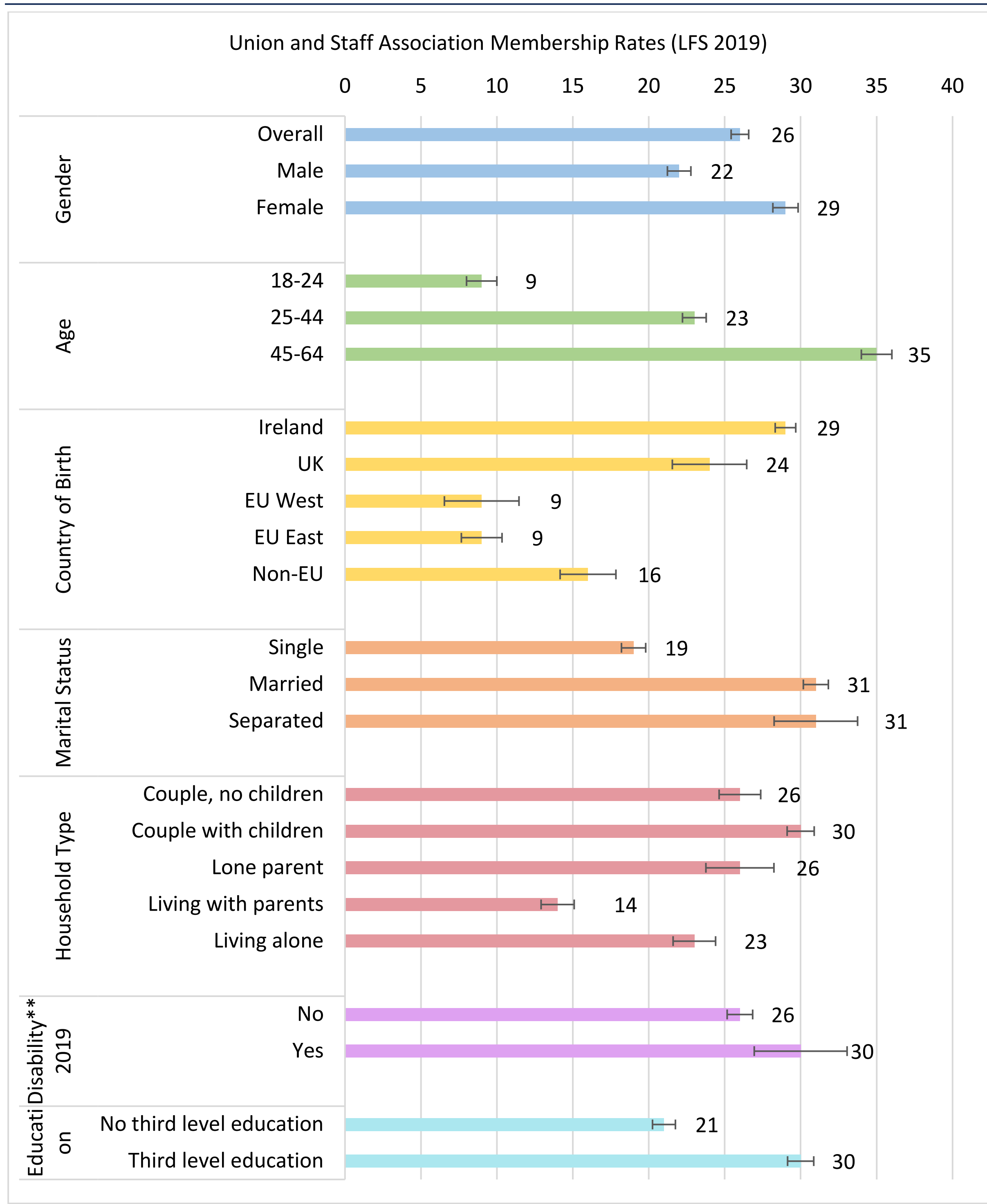
Regarding differences in age, a small portion of young respondents (9 per cent) hold trade union membership, a rate that is far smaller when compared to respondents aged 45-64 (35 per cent). Union membership is higher for older groups, which may be a cohort effect (trade union membership was more common when this age group entered the labour market) or may be an ageing effect (individuals are more likely to join a trade union as they get older or as they gain more labour market experience). This difference is also statistically

significant. It is possible that younger respondents are less attached to the labour market, hence their lower chances of union membership (Cregan and Johnston, 1990).

Respondents with a disability (30 per cent) have slightly higher rates of union membership when compared to those without a disability (26 per cent), though this difference was not found to be significant.

Regarding country of birth, respondents born in Ireland (29 per cent) have a greater chance of being a trade union member when compared respondents born elsewhere. Western and Eastern European workers (9 per cent) have the lowest rate of union membership. All migrant groups report significantly lower odds of holding trade union membership when compared to non-migrants. Further analysis would be needed to investigate whether this is due to the sectors migrants work in or lower job tenure; or perhaps migrants are not aware that they can join a union, particularly if their language skills are poor and/or there is no tradition of trade unions in their country of origin. However, research suggests that country-specific measures, such as the way unions organise workers in a country and the overall rate of trade union membership, are also important in predicting this gap (Kranendonk and De Beer, 2016; Marino, 2012). Krings (2009) argues that the trade union movement was not resistant to migrant labour in Ireland, like in some other countries (namely Germany and Austria), but this may not have translated into high union membership rates among the group.

FIGURE 5.1 GROUP DIFFERENCES IN UNION AND STAFF ASSOCIATION MEMBERSHIP RATES (LFS 2019, Q1-Q4)



Source: Labour Force Survey (2019, Q1-Q4).
Notes: All employees aged 18-64. Figure lists proportions and 95 per cent confidence intervals by group. The LFS does not distinguish between trade union membership and staff associations.
**Due to data limitations group differences in disability are only available for Quarter 2 of the 2019 Labour Force Survey.

Regarding marital status, single respondents have the lowest trade union membership rates (19 per cent), which likely reflects the large share of young people in this category; the average age of a single and employed respondent in our data is 33. Married respondents

have significantly higher rates of trade union membership, at 31 per cent. Again, this difference could stem from the older age composition of this group; the average age of a married respondent is 47. This trend also appears in the results for family composition types. Employed respondents who live with their parents tend to be younger (average age 26) and show significantly lower rates of trade union membership (14 per cent) when compared to those employed who are a part of a couple and have children (30 per cent).[127]

Finally, there is a significant difference in union membership between those with and without a third-level education. Respondents without a third-level qualification (21 per cent) have lower rates of trade union membership when compared to respondents with a third-level education (30 per cent). This difference could stem from the sectors occupied by respondents with and without a third-level education. Respondents without a tertiary education are more likely to work in hourly waged jobs or non-standard jobs, which have less trade union Coverage (OECD, 2019, p. 196). Salaried workers and those with indefinite open-ended contracts in the public and private sector have higher rates of trade union participation, at close as 50 per cent in Ireland (OECD, 2019, p. 196). However, we do not consider this here.

Many of the differences above may in part be explained by age. Younger workers have a weaker connection to the labour market because of education or other forms of inactivity, when compared to older workers who are often in permanent full-time jobs. International research has also found that older workers, workers with permanent contracts, and those with full-time jobs are more likely to be union members (Eichhorst et al., 2018). The difference between Eastern and Western European migrants and those from other, non-EU countries cannot be explained by age alone, suggesting there is a gap in equality for this group of migrants.

While Figure 5.1 distinguishes between those with and those without trade union or staff association membership, we are not able to say whether this membership impacts working

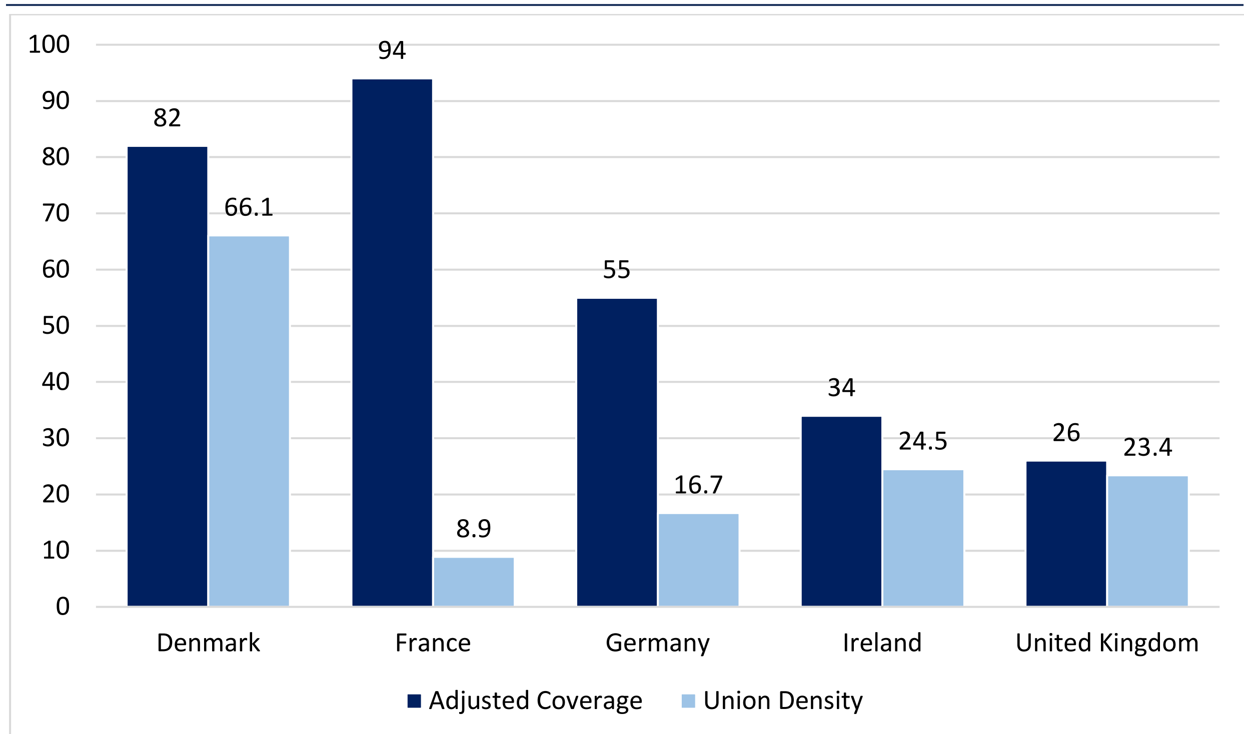
[127] Couples with children have an average age of 45 and those living alone have an average age of 42.

conditions, or whether respondents have used trade union or staff association membership to improve their pay or working conditions.

Measures of trade union Coverage would better capture these mechanisms, but workers are rarely aware of whether they are covered by union agreements, especially those who are not formal trade union members. In other words, workers in certain sectors may not be trade union members themselves but are often included in trade union agreements. These measures exist at the national level and are worth noting here. Figure 5.2 considers the number of employees who are covered by valid collective (wage) bargaining agreements as a proportion of all wage and salary earners in employment with the right to bargaining. The figure considers trade union Coverage and trade union Density (adjusted for the possibility that some sectors or occupations are excluded from the right to bargain) in Denmark, Ireland, France, Germany, and the UK.[128]

[128] The ICTWSS defines its adjusted union Coverage as the employees 'covered by wage bargaining agreements as a proportion of all wage and salary earners in employment with the right to bargaining, expressed as percentage, adjusted for the possibility that some sectors or occupations are excluded from the right to bargain (removing such groups from the employment count before dividing the number of covered employees over the total number of dependent workers' in wage and salary employment). The ICTWSS defines the union Density rate as 'net union membership as a proportion of wage and salary earners in employment (Schmitt and Mitukiewicz, 2011).

FIGURE 5.2 COUNTRY DIFFERENCES IN UNION COVERAGE AND UNION DENSITY RATES (ICTWSS, 2017)



Source: Database for the Institutional Characteristics of Trade Unions, Wage Setting, State Intervention and Social Pacts.
Notes: Figure lists country Adjusted Union Coverage and Union Density Rates (portion of the workforce who are trade union members) using the latest available data. Denmark Adjusted Coverage rate uses 2016 data, 2017 data are unavailable. France Adjusted Coverage rate uses 2015 data, 2017 data are unavailable.

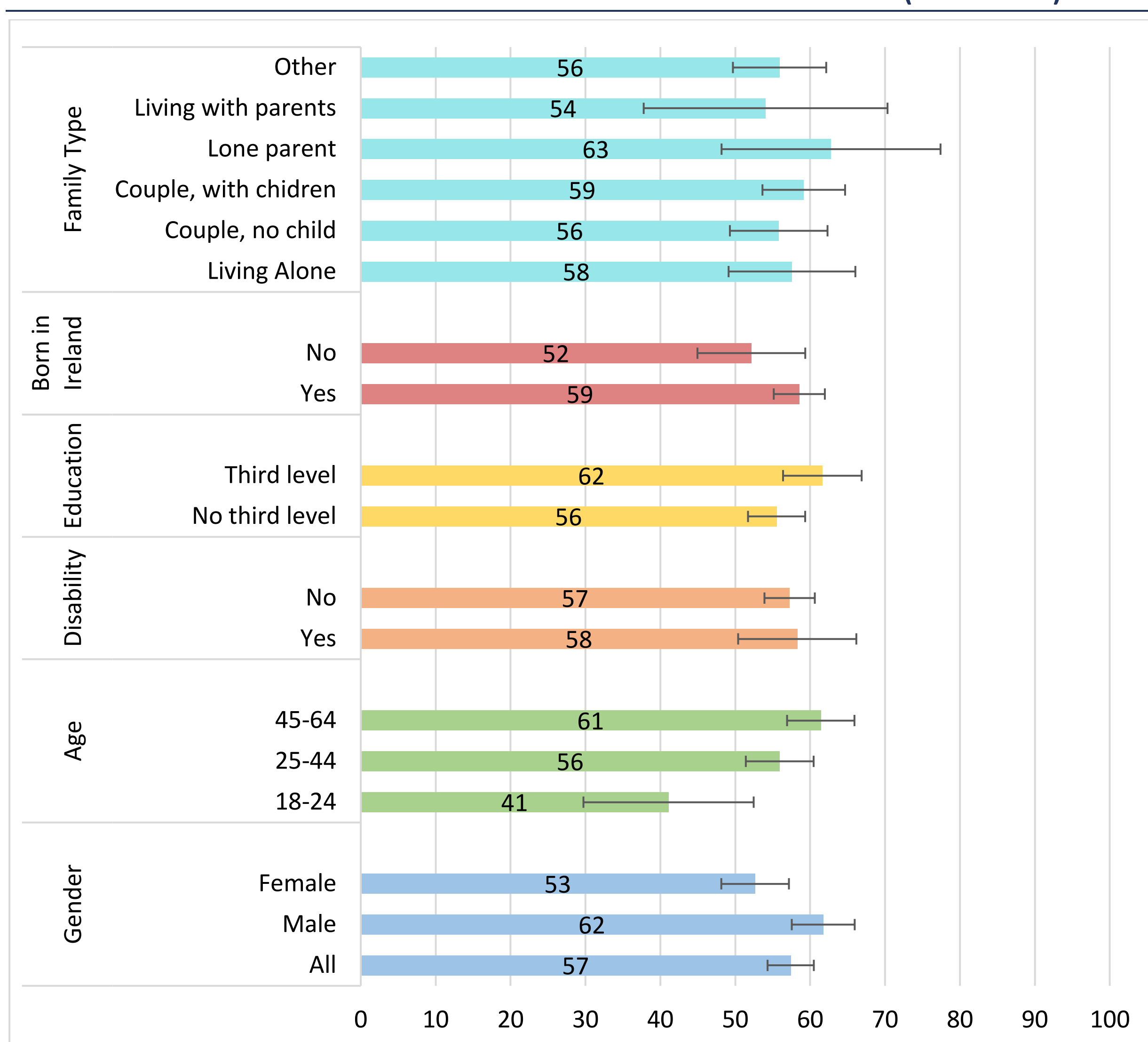
We note that Ireland has comparably lower rates of trade union Coverage when compared to Germany, France and Denmark. However, this rate is somewhat higher than the rate in the UK. Most notable in Figure 5.2 is the fact that Ireland's union Coverage rate (34 per cent) is higher than the trade union membership rate (24 per cent). This suggests that union Coverage extends little beyond Ireland's trade union members. This difference is not as extreme as the one noted in France, where 8 per cent of the members bargain for 94 per cent Coverage, but it is larger than the gap between Coverage and Density found in the United Kingdom (see Eichhorst et al., 2018 for further discussion of why these gaps are found).

5.3 JOB CONTROL AND GROUP DIFFERENCES IN JOB CONTROL

Pay, hours, and contract type are all important dimensions of work. However, researchers have also looked to measures of job control and work autonomy as important measures of working conditions (Russell et al., 2014; Gallie, 2007; 2012). More specifically, Gallie (2012) reports a correlation between job control and several measures of psychological well-being,

while Kalleberg and Vaisey (2005) find that workers see autonomy and control as crucial aspects of ‘good’ jobs. Russell et al. (2014) argue that workers saw a small rise in job control after the Irish recession, but that this rise stems from a change in the composition of work rather than a general increase in autonomy at work. CSO (2020b) finds influence over the content and order of work tasks to be higher in Ireland than the European average, though Ireland’s ranking internationally varies in different studies and depending on the measure used (Gallie and Zhou, 2013). Influence on work content and order tends to be higher in professional/managerial jobs, as well as skilled trades, and lower in service/sales jobs and for machine operatives or elementary workers (CSO, 2020b).

FIGURE 5.3 GROUP DIFFERENCES IN FULL CONTROL OVER JOB TASKS (EWCS 2015)



Source: European Working Conditions Survey (2015).
Notes: All employed, restricted to those aged 18-64. Figure lists proportions and 95 per cent confidence intervals by group. Full control over work is defined as respondents who can choose their method, speed, and order of tasks.

We find that over half of all workers cite full job control over their tasks (57 per cent), in that they can organise the order, method, and speed of how they do their work. There is a significant gender difference in this outcome, with women (53 per cent) reporting lower levels of control when compared to men (62 per cent). Several authors report a similar finding. Gallie (1996) notes that women in the UK report lower levels of job control when compared to men in the UK, even when models control for differences in occupations. Mühlau (2011) and Gallie and Zhou (2013) note a similar finding in different EU countries. Russell et al. (2014) also report lower job control among women using Irish data.

Women previously reported higher rates of trade union membership compared to men, however they now report lower rates of control over work. These findings are reflected in recent figures from the LFS on job autonomy in 2019 which found lower levels of control among women (CSO, 2020b). Part of this difference could stem from the same factor which drives higher rates of trade union membership. Women are more likely to hold teaching and nursing positions when compared to men. These positions have higher rates of trade union membership but also have little control over the way their work is carried out. However, as the authors mentioned above note, gender differences in job control cannot be fully explained by the occupational differences between men and women (Gallie, 1996; Mühlau, 2011).

Regarding differences in age, young workers (18-24 years old) have less control when compared to middle age (25-44 years old) and older workers (45-64). Again, these differences in job control between age groups are reflected in the LFS special module on job autonomy in 2019 with lower levels of control among younger workers, though the question wording is somewhat different (CSO, 2020b).[129] The main difference in control appears to be between the youngest group and the other age groups, which could stem from the kinds of jobs they work in. As discussed in Chapter 3, those under 25 are much less likely to work in professional/managerial jobs than older workers; they will also tend to have less work experience than older workers. Russell et al. (2014) note a similar trend in Ireland using a slightly different measure of job control.

[129] The EU-LFS asks about influence over work content and order. Pace of work is not included.

Respondents with (58 per cent) and without (57 per cent) a disability report a very similar rate of control at work. There is a small difference in job control between those born outside of Ireland (52 per cent) and those born in Ireland (58 per cent), and those with (62 per cent) and without a third-level education (56 per cent). These differences are not statistically significant, partly because the sample size used in this survey is very small (see Chapter 2). CSO (2020b) does find that those with higher levels of educational qualifications tend to have more job control. Finally, differences in family composition do not appear to have an impact on control over workplace tasks, as again these differences were not found to be significant.

The key differences in job control are between gender groups and age groups. The remaining categories report similar levels of control, with just over 50 per cent of respondents citing full control over the method, order, and speed of tasks at work. The gender gap is especially important for CEDAW, especially Article 11 which emphasises 'the right to the same employment opportunities, including the application of the same criteria for selection in matters of employment'. While differences are modest, they warrant further attention.

5.4 SUMMARY OF FINDINGS

Overall, we find that trade union and staff association membership in Ireland are lower than the countries considered above (26 per cent), and that trade union Coverage (34 per cent) tends to focus on trade union members themselves, rather than the wider population. Within this context, we find several group differences in trade union and staff association membership.

We find several group differences in trade union or staff association membership. Firstly, women report higher rates of trade union membership when compared to men. Secondly, respondents born in both Eastern and Western Europe report lower trade union membership than respondents born in Ireland, and to a lesser extent those born in the UK and outside the EU. Third, respondents without a third-level education report lower odds of trade union membership than those with a third-level education. These three gaps may be capturing access to union membership for key groups. More in-depth analysis could separate the difference between staff association membership and trade union

membership, although we are not able to do this using LFS data. Further, researchers could investigate union membership by tenure (how long an individual has worked for their company or organisation), sector and occupation to uncover some of the mechanisms explaining union or staff association membership.

Thinking of the gaps in trade union membership, some do not emerge in measures of job control; respondents without a third-level education report higher levels of job control when compared to workers with a third-level education, though the difference here is smaller and not statistically significant; men in turn report higher levels of control when compared to women (despite women reporting higher levels of trade union membership). Migrants overall report slightly lower rates of full job control than those born in Ireland, though note that this combines all migrant groups. If different groups could be distinguished with a larger data source, it could be found that European migrants report lower control, as their union membership is lower.

In terms of job control, the important differences are between men and women (men have higher control) and younger and older workers (older workers report higher control over how they do their jobs). This is true in the European Working Conditions Survey (EWCS) data analysed in this chapter, and also in the more recent EU-LFS special module on job autonomy and pressure at work (CSO, 2020b), which has a larger sample. This EU-LFS special module also finds that the proportion of employees reporting some or a large influence on content and tasks at work is relatively high in Ireland compared to the EU average.

Although the right to join a trade union is recognised under many international treaties as well as protected under the Irish Constitution, the existence of significant differences between groups suggests that this right may not be fully realised for all workers within the country. Grimshaw et al. (2017) argue that a combination of participatory rights, such as collective representation at the workplace, as well as minimum standards, are the best way to progress labour market equality. States have a key role to play in facilitating employee representation.

It may be useful for future iterations of national equality strategies to identify, consider and act upon issues concerning trade union representation across the equality groups, and make recommendations to address these issues with a view to improving access to trade union

representation and recognition for employees from equality groups. In addition, it may be useful for trade unions to consider in more detail factors underlying lower membership among certain groups, in terms of how they recruit and organise workers, whether this reflects a lack of knowledge, cost or some other factors.

5.5 DATA RECOMENDATIONS

As with the previous chapters, we find three data limitations in the data when considering measures of employee voice. First, there are few measures of employee voice in Ireland in representative surveys of employees, and the available measures have a number of limitations. For example, the Labour Force Survey does not distinguish between trade union membership, a staff association membership, and membership of both. This is a significant limitation. Further, job control is not measured in regular surveys. Regular measurement of concepts like job control, work stress, or organisational commitment would considerably enhance our understanding of how workers themselves experience their jobs. The European Working Conditions Survey is a valuable tool for comparative research, but the sample is small when considering smaller population groups (such as those with a disability, or those born outside Ireland). As the Survey is only fielded every five years, this limits the possibility of pooling, as we have done with other surveys here.

Second, the Labour Force Survey did not release disability data for 2018 and much of 2019; as a result we rely on a specific quarter of the survey which contains these data. Further, we note that the definition of disability is being reviewed by the CSO, which will likely impact the data series, and could impact the relationship between employee voice and disability if the new definition captures a subset of this population who are more (or less) likely to unionise.

Finally, neither the Labour Force Survey nor the European Working Conditions Survey contain measures of respondents' ethnicity, religion, or sexual orientation, so we are not able to consider group differences in the measures above. While these groups are captured in the Census, the Census does not measure job control or trade union membership.

CHAPTER 6

Security and stability of work

Against a backdrop of ongoing debates on increased precariousness in the labour market (Mills et al., 2008; Blossfeld and Hofmeister, 2006; Kelly and Barrett, 2017), this chapter explores group differences in temporary work. Secure jobs with open-ended or permanent contracts allow workers to plan for the future and to pursue careers with predictable lives. While some amount of insecurity at work is inevitable due to the possibility of firm closures or redundancies, systematic group differences in job insecurity and precarity are a cause for concern. We consider group differences in temporary contracts as a measure of labour market insecurity. While open-ended contracts may be insecure, fixed-term contracts by definition do not offer security of employment or security of income.

A number of international treaties recognise the right to security and stability of work. Specifically, both ICESCR[130] and the European Social Charter[131] recognise the right to just and favourable conditions of work. In addition, the European Social Charter recognises the right the fair pay for work[132] as well as the right to protection in cases where employment is terminated.[133] ICESCR[134] also recognises that workers tend to seek employment in the informal sector when unemployment is high and there is a distinct lack of secure employment. As those in informal employment have little to no security or protection, ICESCR states that countries 'must take the requisite measures, legislative or otherwise, to reduce to the fullest extent' the numbers of workers in this type of employment.[135] The right to job security and favourable conditions of work has also been recognised for particular groups among international committees, specifically women,[136] racial, nationality

130 Article 7.1 (a)-(d).
131 Article 2 (1)-(3), (5)-(7).
132 Article 4 (4).
133 Article 24 (a)-(b).
134 GC No. 18 para 10.
135 GC No. 18 para 10.
136 CEDAW Article 11.1(c).

and ethnic minorities[137] and those with disabilities[138] (see online appendix for more details on international instruments).

ICESCR stresses that specific measures to increase the flexibility of labour markets must not render work less stable or reduce the social protection of the worker.[139] These efforts are also tied to more specific Acts in Irish law which are designed to support and protect workers in forms of casual work, for example the Temporary Agency Work Act (2012), the Unfair Dismissals Act (1994), and the Fixed-Term Work Act of 2003. Despite Ireland's obligations to provide secure and stable employment under international treaties, this facet of decent work is largely unaddressed in equality strategies as the focus of these strategies is activation rather than decent work dimensions.

Throughout the chapter we will focus on just one indicator; the rate of respondents who hold temporary contracts. As noted in the other chapters, group differences in outcomes may stem from direct and indirect discrimination, personal choice, cultural expectations, life-cycle pressures, legal barriers, skill differences or some combination of these factors working together. We do not consider these mechanisms here but cite existing work which explores these mechanisms where possible. Importantly, this measure has changed over time. While we do not consider the evolution and expansion of temporary work before and after the Irish recession, Kelly and Barrett (2017) summarise this process. They find that atypical work contracts increased during the recession but did not decline during the recovery.

6.1 ANALYTICAL APPROACH

Our main goal is to estimate the rate of temporary employment overall, and to observe the main group differences in temporary work across seven groups: gender, age, country of birth, marital status, family type, disability status, and education type.

137 CERD Article 5(e) (i).
138 CRPD Article 27.1 (b).
139 GC No. 18 para 25.

We will rely on the share of respondents in temporary work throughout the chapter, using the Labour Force Survey for 2019.[140] This measures whether workers have a temporary contract (including temporary agency work), or a permanent contract, indicating the security of their job. An alternative prominent measure of job security involves asking respondents themselves about how secure they feel their job is. This measure is available in the EWCS[141] but we do not consider it for three reasons. First, the latest round of EWCS data was released in 2015. Second, the sample is considerably smaller and so we cannot consider meaningful group differences for several groups of choice. Third, this measure considers respondents' *feeling* of insecurity, which is clearly important for well-being, but may not accurately reflect the likelihood of job loss (Gash and Inanc, 2013). Not surprisingly, there is wide overlap between being on a temporary contract and feeling insecure about one's position. However, focusing only on those in temporary work ignores feelings of insecurity among workers with a permanent contract, which are not uncommon.[142]

6.2 TEMPORARY WORK

Regular, open ended contracts (contracts with no time limit) allow workers to plan their careers and their futures (Irvine, 2018; OECD, 2019). Irvine (2018) reports that Ireland's rate of workers in permanent contracts between 2011 and 2018 was lower than the European average; however more recent data do not support this, and suggest that Ireland has a comparatively high rate of permanent work. However, non-standard work contracts exist in Ireland, and workers who hold these tend to experience greater work intensity, lower pay, weaker support, and a greater threat of job loss (Felstead et al., 2020). Some workers may use temporary contracts as important stepping stones to more established careers, where skills and experience are required (Scherer, 2004; McGinnity et al., 2005), but the conditions within these contracts tend to differ significantly from full-time permanent work. While the Protection of Employees (Fixed-Term Work) Act 2003 stipulates that an employer is obliged

140 'Is your job a permanent one or is it temporary in some way?' 1 Permanent job; 2 Temporary job.

141 'To what extent do you agree or disagree with the following statements about your job? I might lose my job in the next six months' (Agree/Tend to agree/Neither agree nor disagree/Tend to disagree/Strongly disagree/Not applicable/Don't Know).

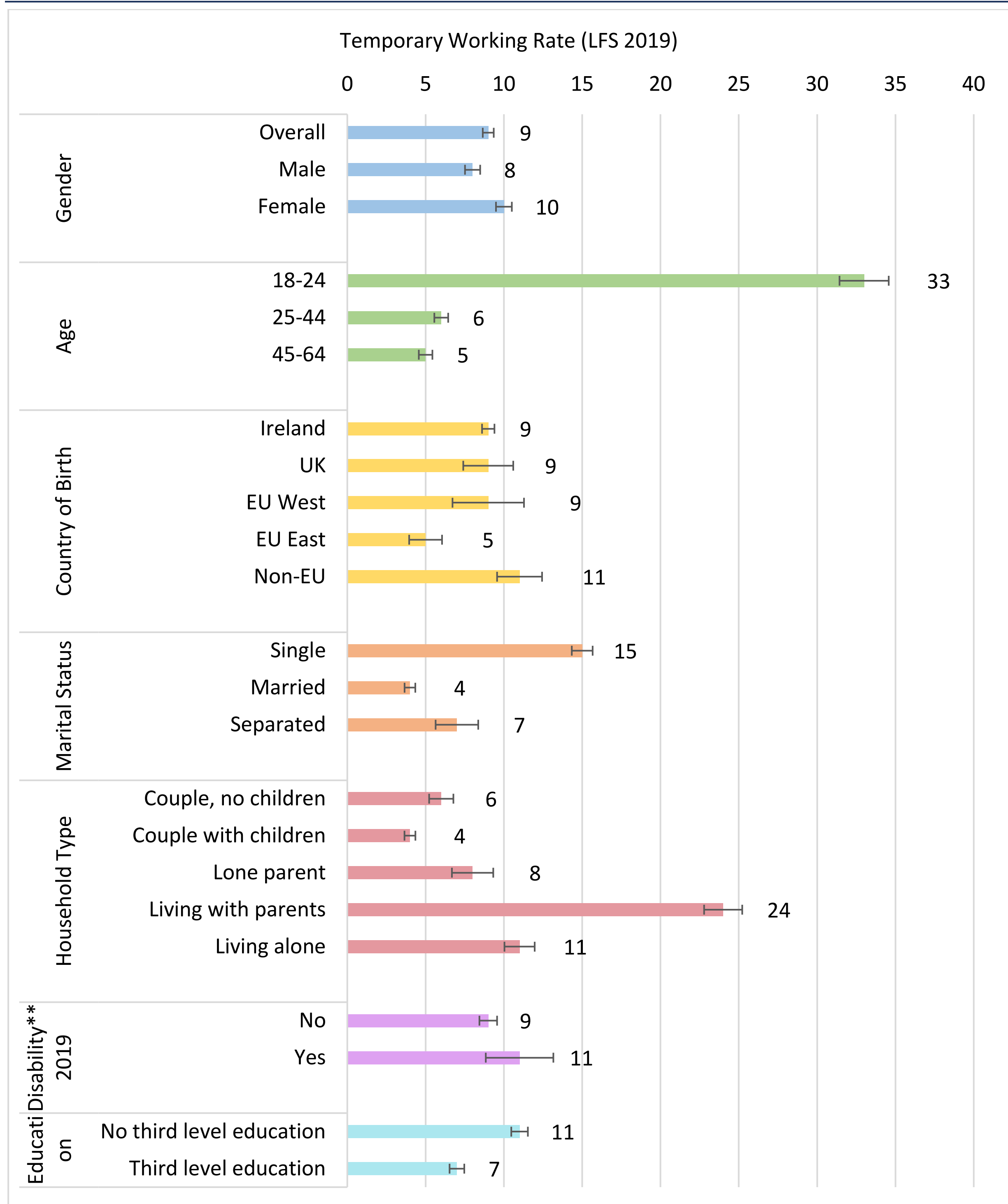
142 One measure of job stability is how long employees have been working in their current job (tenure). This is an indicator in the ILO measurement framework. While this indicator would give a sense of which groups frequently change their jobs, it is often very difficult to distinguish voluntary from involuntary job mobility, and these have very different implications for both well-being and career progression (Rosenfeld, 1992). In addition, workers who have recently joined the labour market will have shorter tenures by definition.

to inform fixed-term employees of any permanent vacancies which arise in the undertaking,[143] Nugent et al. (2019) highlight that the rate of transitions from temporary to permanent contracts in Ireland (roughly 10 per cent for workers aged 25-39) is low compared to other European countries.

Figure 6.1 lists the rate of temporary contracts for employed respondents aged 18-64. Roughly 9 per cent of the population hold a temporary contract, suggesting at least that most workers are employed in permanent positions. However, we show that there are significant differences between groups in terms of who is employed on a temporary basis.

143 https://www.workplacerelations.ie/en/publications_forms/guide_to_employment_labour_and_equality_law.pdf.

FIGURE 6.1 GROUP DIFFERENCES IN TEMPORARY WORK RATES (LFS 2019, Q1-Q4)



Source: Labour Force Survey (2019, Q1-Q4).
Notes: Employees aged 18-64. Figure lists proportions and 95 per cent confidence intervals by group. Living with parents refers to adult respondents who live with their parents.
**Due to data limitations group differences in disability are only available for Quarter 2 of the 2019 Labour Force Survey.

Women (10 per cent) are more likely to hold a temporary contract compared to men (8 per cent). This difference is small but statistically significant. It is possible that women are more likely to hold temporary contracts due to the need to balance caregiving and work (Russell et al., 2019). It is also possible that temporary work is 'gendered' in that it is presented or

mispresented as ‘women’s work’ (Fuller and Vosko, 2008; Cranford and Vosko, 2006) such as cleaning or retail sales (ILO, 2017).

Regarding age, there are very large differences in temporary employment between young workers (33 per cent) and mid age or older workers (6 per cent and 5 per cent respectively). Temporary contracts appear to be a standard part of early careers, although this difference could resemble a cohort effect where new entrants to the labour market are expected to work temporarily.

Looking at country of birth, we find that migrants from Eastern European countries have significantly lower rates of temporary work compared to respondents born in Ireland and all other migrant groups. It is possible that migrants differ in their likelihood of holding a temporary position based on their duration in Ireland: migrants from Eastern Europe are less likely to have lived in Ireland for five years or less than those from Western Europe and non-EU groups (McGinnity et al., 2018b). However, this does not explain why their temporary employment rate is lower than Irish nationals, or indeed UK nationals, many of whom have lived in Ireland for over 20 years. It may be related to the sectors or occupations they work in. Previous research has found that although temporary workers are evident in most sectors, there are somewhat over-represented in agriculture, manufacturing and wholesale and retail (McGuinness et al., 2018).

Looking at family type or household composition, those who are single (15 per cent) and those who are separated (7 per cent) hold a higher rate of temporary work when compared to married respondents (4 per cent). Part of this difference could stem from differences in age. Single respondents are often younger, while married respondents are often older. Respondents who live with their parents (24 per cent) had significantly higher rates of temporary work compared to all other household types. Again, part of this difference could stem from age. Respondents who live with their parents are more likely to be younger, while couples with and without children and lone parents are more likely to be older.

Lastly, respondents without a third-level education (11 per cent) show higher rates of temporary work when compared to respondents without a third-level education (7 per cent). These differences could stem from a lack of bargaining power and could constitute a gap in access to permanent work. However, previous research in an Irish context found that

those with tertiary level education had no advantage over those with lower levels of education regarding temporary work (McGuinness et al., 2018).

Differences between those with and without disabilities were not found to be significant.

6.3 SUMMARY OF FINDINGS

In general, we find few group differences in rates of temporary work. Many of these gaps can be explained by age differences between groups. For example, the younger respondents who report high chances of temporary work may be splitting work commitments with education commitments. As another example, early career workers may be focusing on gaining labour market experience first, with the hope that this would lead to permanent work later (Scherer, 2004). As a further possibility, young workers may lack the bargaining power to secure a permanent contract. Many of the household and family differences noted above can also be explained by age; since many single people are young, and many people who live with parents are also young, the differences reflected in these groups may be the previously mentioned difference in age.

Despite this, for other groups there are substantial gaps in equality in terms of temporary work, like the difference between men and women or the difference between respondents with and without a third-level education, that can less easily be attributed to age. These differences are minor but statistically significant and could reflect a labour market penalty or a lack of bargaining power.

While the temporary employment measure used in this chapter has considerable advantages, some authors find it problematic, and not capturing fully the experience of insecure work. Nugent et al. (2019) argue that some workers may not realise they are on a temporary contract and that the Labour Force Survey may underestimate the extent of temporary contracts. Nugent et al. (2019) and O'Riain and Healy (2019) both suggest that the fact that the 'no contract' option is missing from the Labour Force Survey may also mean precarity is underestimated. Using the European Working Conditions Survey, Healy and O'Riain (2019) find that workers in Ireland with no contract do feel more insecure than those with a permanent or open-ended contract, though considerably less insecure than those on a temporary contract. The temporary contract indicator also misses those in

permanent work who may be feeling insecure. Further, and perhaps more importantly, it is not possible to discern whether these contracts exist in the formal or the informal economy. Further research may usefully consider alternative measures of capturing the stability and security of work.

As mentioned at the beginning of this chapter, the right to just and favourable conditions in work is recognised under international treaties such as ICESCR and the European Social Charter. Although temporary work can be associated with positive outcomes such as increased flexibility for both employees and employers, improved work-life balance and greater life satisfaction, these benefits only tend to apply if a worker chose to be in this type of employment (McGuinness et al., 2018). Temporary work can also be associated with negative outcomes such as uncertainty around income and lower levels of legal protection (ibid). All employees should be entitled to secure work but as the results show we find higher instability for female workers. Future iterations of employment strategies should focus not only on access to work but the quality and security of work available to workers in Ireland. In addition, future equality strategies should identify, consider, and act upon issues concerning lack of security in employment. Such strategies should make recommendations with a view to ensuring that employment in Ireland is secure and stable rather than focusing only on labour market activation.

6.4 DATA RECOMMENDATIONS

We find three data limitations which are worth considering in future monitoring exercises. First, ICESCR speaks about the dangers of falling into informal or unofficial forms of work and the impact such work can have on vulnerable workers (see Chapter 1). However, data on such employment are not explicitly available in the LFS or the Census. If these data are collected by the survey, there is no way to discern between those in the formal and informal economy. Reaching out explicitly to those in the informal sector could shed more light on the profile of such workers and their working conditions, though challenging because workers may not want to disclose their informal work. Helleiner (2000) and more recently KTCM (2020) explore some of these themes in qualitative studies of members of the Traveller community. Typically the work tends to be low hours and irregular.

Second, the Labour Force Survey does not contain measures of respondents' ethnicity, religion, sexual orientation or transgender identity. Some, but not all, of these data are available in the national Census, but the Census does not consider the contract type (temporary v. permanent).

Finally, the Labour Force Survey is reconsidering its definition of a disability; as a result data on disability have been collected in 2018 and 2019, but these data have not been released because they are being reconfigured, with the exception of Quarter 2, 2019. This reconfiguration will likely have an impact on disability trends over time, with an increase or a decrease likely to be recorded in those years. It is also possible that the profile of respondents in temporary work with a disability will change simply because the definition of a disability will change.

CHAPTER 7

Equality of opportunity for and treatment in employment

In this chapter, we consider experiences of discrimination in the workplace and seeking work as measures of decent work. In order for individuals to have decent work they must have equal opportunity to and equal treatment within employment. Non-discrimination is a minimum core obligation of ICESCR. This also relates specifically to work where Ireland has an obligation that the right to work should be executed 'without discrimination of any kind'[144] (Article 2, paragraph 2). This requires non-discrimination in accessing employment on the grounds of race, colour, sex, language, age, religion, political or other opinion, national or social origin (ICESCR). This includes non-discrimination not just in the workplace but also when seeking work. ICESCR states that the right to access work should be available to all, especially for those from disadvantaged and marginalised groups.[145] In addition, all workers should have equal access to promotion through fair means which respect individuals' human rights.[146]

Many of the international instruments discussed in Chapter 1, such as the UN and Council of Europe treaties, require equal treatment of vulnerable and minority groups. These require the State to realise the right to non-discrimination by stipulating equal access to employment for key groups such as migrant workers (ESC),[147] racial, nationality or ethnic minorities (CERD),[148] women (CEDAW, ESC),[149] those with disabilities (CRPD, ESC)[150] and those with family responsibilities (ESC)[151] (see online appendix for more details on international instruments).

There is also robust national legislation prohibiting discrimination in the workplace and in seeking work; for example, the Employment Equality Acts 1998-2015, which prohibit

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144 ICESCR GC No. 18, para 19.
145 GC No. 18, para 31.
146 GC No. 23, para 31.
147 European Social Charter Article 19 (4)(a), (7).
148 CERD Article 5(e) (i).
149 European Social Charter Article 20 (a)-(d), CEDAW Article 11.1 (b), (c), (d).
150 European Social Charter Article 15 (2), CRPD Article 27.1 (a), (b), (e).
151 European Social Charter Article 27 (1)-(3).

discrimination in employment-related areas including accessing employment, working conditions, training in the workplace, harassment, promotion, as well as other employment-related areas. Under the Acts, discrimination is deemed to occur when a person is treated less favourably than another person is, has been, or would be treated in a comparable situation on the grounds of gender, civil status, family status, age, disability, race, sexual orientation, religious belief, or membership of the Traveller community. Discrimination on the grounds of race is described as discrimination on the basis of being of different race, colour, nationality or ethnic or national origins.

At macro level and within other national policies, the dimension of 'equal opportunity and treatment in employment' is broadly addressed, for example within the *Roadmap for Social Inclusion 2020-2025* under High Level Goal 2, which aims to ensure fair working conditions for employees. *Future Jobs Ireland 2019* also covers this dimension under Ambition 4.2 which sets outs to foster participation in the labour force through flexible working solutions. Aspects of the equal opportunity dimension are also addressed under the national equality strategies for groups such as LGBTI+,[152] women,[153] Traveller and Roma,[154] young people,[155] and those with disabilities.[156] Despite commitments to ensure that all individuals have equal access to employment, differences in access still exist between and within these groups. This chapter examines these differences using individuals' subjective experiences of discrimination.

7.1 ANALYTICAL APPROACH

This section discusses the analytical approach and indicators used to analyse equality of opportunity and treatment in employment in the population. The purpose of this chapter is to estimate the overall experience of discrimination seeking work and in the workplace in Ireland and present the main differences in experiences of discrimination across eight groups: gender, age, ethnicity, disability, religion, nationality, marital status, and educational level. It was intended that sexual orientation and transgender would be

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[152] *LGBTI+ National Youth Strategy 2018-2020.*
[153] *National Strategy for Women and Girls 2017-2020.*
[154] *The National Traveller and Roma Inclusion Strategy 2017-2021.*
[155] *National Youth Strategy 2015-2020.*
[156] *Comprehensive Employment Strategy for People with Disabilities 2015-2024.*

included in the group analysis, however the sample size was too small in the data source used (the General Household Survey).[157]

The experience of discrimination in the workplace was chosen as an indicator for equal treatment in employment as it could cover health and safety matters such as bullying and harassment, as well as treatment related to pay or promotion etc (see ICESCR, Article 7(c)). Whilst we cannot distinguish here between discrimination which affects health and safety and that which is related to promotion, we do examine differences in work-related health and safety in Chapter 8. However, Chapter 8 refers specifically to illnesses and injuries rather than harassment or bullying. Unfair treatment in the workplace was measured as the percentage of respondents who stated they had experienced discrimination in the workplace in the two years preceding the General Household Survey.

The experience of discrimination seeking work was chosen as an indicator of equal opportunity for employment as it is a good measure of difficulties and discrimination in accessing employment across groups. Unfair treatment seeking work was measured as the percentage of respondents who stated they had experienced discrimination seeking work in the two years preceding the survey. Respondents were excluded if they answered 'not applicable' to the question, that is because they had not been looking for work in these two years.

Both these indicators rely on workers' own assessment of their treatment and are thus subjective: they may be subject to incomplete information and bias (McGinnity et al., 2017). Discrimination may be under-reported because it is not observable to the respondent (an employer might discriminate against a job candidate, but the job candidate might never find out, or may not attribute the behaviour to discrimination). Discrimination may also be over-reported if a candidate incorrectly attributes their treatment to discrimination when in fact it was due to another factor (for example, denial of a job promotion could be due to poor work performance rather than discrimination). While this bias cannot be eliminated, it can be minimised by asking very specific questions about life situations and time periods and, in particular, by giving respondents a clear definition of what counts as discrimination, and

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[157] For further details of sampling and topline findings from this survey see CSO (2019).

what does not (Blank et al*.,* 2004; McGinnity et al., 2017). The CSO Survey follows international best practice as can be seen from the question wording.[158] Both direct discrimination – unequal treatment on the basis of protected characteristics – and indirect discrimination – policies or practices which have a discriminatory impact – are covered under Irish law, but it is not possible to gauge which respondents are referring to when answering these questions.[159] The indicators chosen to analyse this dimension capture subjective experiences of discrimination as a whole which could include experiences of direct or indirect discrimination.

7.2 EXPERIENCES OF DISCRIMINATION IN THE WORKPLACE

Figure 7.1 examines group differences in perceived discrimination in the workplace. Overall, in 2019, 7 per cent of respondents stated they had experienced discrimination in the workplace in the two years prior to the survey. The nature of this discrimination included pay, promotion, work conditions, bullying or harassment, lost job/made redundant or other focus.

Considering gender differences, women (9 per cent) reported significantly more discrimination than men (5 per cent). This difference could be attributed to gender bias or stereotypes in certain workplaces, sometimes resulting in potential harassment (Bobbitt-Zeher, 2011). This difference could also stem from occupational differences between men and women which contain different opportunities for progression or promotion (Eurofound, 2007).

Focusing on ethnicity, there are large differences in perceived discrimination at work between those who have a White ethnic background (7 per cent) and those from Other

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158 After they are given a description of what constitutes discrimination under Irish law, respondents are asked ‘In the past two years, have you personally felt discriminated against in the workplace?’
Responses: 1 Yes; 2 No; 3 Not applicable (haven’t been working in the past two years); 4 Don’t know. Respondents are also asked ‘In the past two years, have you personally felt discriminated against while looking for work?’ 1 Yes; 2 No; 3 Not applicable (haven’t been looking for a job in the past two years); 4 Don’t know.

159 The definition of discrimination respondents are given is the following: ‘Under Irish law, discrimination takes place when one person or a group of persons is treated less favourably than others because of their gender, civil/marital status, family status, age, disability, ‘race’ (skin colour or ethnic group), sexual orientation, religious belief, membership of the Traveller community and/or housing assistance in relation to the provision of residential accommodation’.

ethnic backgrounds (20 per cent). Non-White respondents cite a greater level of perceived discrimination compared to White respondents. This difference could stem from direct discrimination based on ethnicity (FRA, 2017). Previous research indicated considerable variation among non-White ethnic minorities (McGinnity et al., 2018a), with much higher rates of discrimination reported by the Black ethnic group, but the sample size is not large enough to distinguish these groups in this survey. Research from a separate survey on the prevalence of ill-treatment and bullying at work in Ireland in 2015 also found that ethnic minority employees were more likely to experience workplace bullying (Hogan et al., 2020).

Respondents who had a disability (14 per cent) reported twice as much perceived discrimination in the workplace as those who did not (7 per cent). They also have a much lower employment rate (40 per cent) than those without a disability (78 per cent) meaning those with disabilities find it tougher to find a job and may be more likely to experience discrimination within that job. Discrimination in the workplace may be experienced as harassment, however it may also involve a failure on the part of the employer to provide reasonable accommodation for an individual's disability. Discrimination can also involve unfair dismissal on the grounds of a worker's disability.

Considering religion, the workplace discrimination rate reported by Catholic respondents (6 per cent) was just under half the discrimination rate of respondents from other religions (11 per cent). Differences in religion could be due to a respondent's religion alone, however there could also be an interaction between religion and nationality or ethnicity and place of birth (Collins, 1990). This is not considered explicitly in this research. As Ireland is a predominantly Catholic country, respondents are much more likely to be Catholic if they are Irish as opposed to non-Irish (Barrett et al., 2017).[160] Similarly, respondents who were not Irish nationals (11 per cent) reported more perceived discrimination in the workplace than Irish nationals (7 per cent), though other research has shown that non-Irish nationals are very diverse in terms of national origin (McGinnity et al., 2020b).

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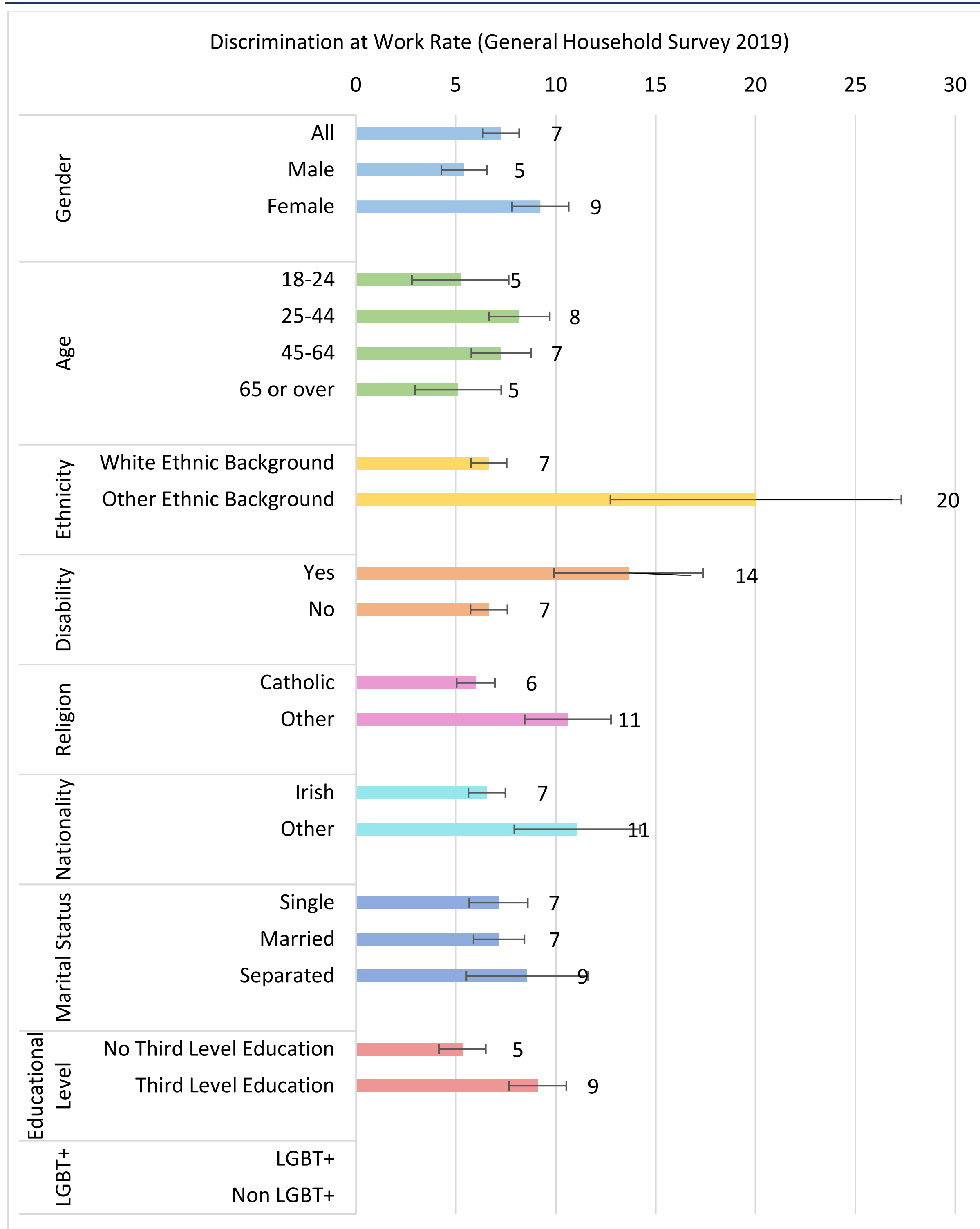
[160] Some non-Irish groups in Ireland are predominantly Catholic, for example Poles, Brazilians, and Filipinos. However, in 2011 for example, 90 per cent of Irish nationals report their religion as Catholic compared to 52 per cent of the non-Irish group (Barrett et al., Appendix 3, based on the 2011 Census).

FIGURE 7.1 GROUP DIFFERENCES IN PERCEIVED DISCRIMINATION AT WORK (GHS 2019)



Source: General Household Labour Force Survey Equality Modules (Quarter 1, 2019), excludes 'does not apply' responses, that is those who had not worked in the two years prior to the survey.
Notes: Data are weighted. Figure lists proportions and 95 per cent confidence intervals by group. Where confidence intervals do not overlap, the differences are significant. Results on LGBTI+ are not presented due to small sample sizes.

As the small sample size in the 2019 Equality Modules may have affected statistical significance between groups, research using previous equality modules with a larger sample size was evaluated. Research using the 2014 Equality Modules (McGinnity et al., 2017)

found statistically significant differences in experiences of discrimination in the workplace between multiple groups. In line with the current findings, McGinnity et al. (2017) found higher rates of discrimination in the workplace among women, those with disabilities, non-Catholics, and Black respondents.

Finally, looking at educational attainment, we see that those with third-level qualifications (9 per cent) were more likely to report perceived discrimination in the workplace than those without (5 per cent). These differences are consistent with previous research and could be due to more awareness of discrimination among those with higher education (McGinnity et al., 2017). Highly educated respondents in Ireland are much more aware of their rights and likely to take action in response to discrimination (McGinnity et al., 2012). It could also be that they are also more likely to have a secure job (see Chapter 6) and be more confident about reporting a discrimination case.

7.3 EXPERIENCES OF DISCRIMINATION SEEKING WORK

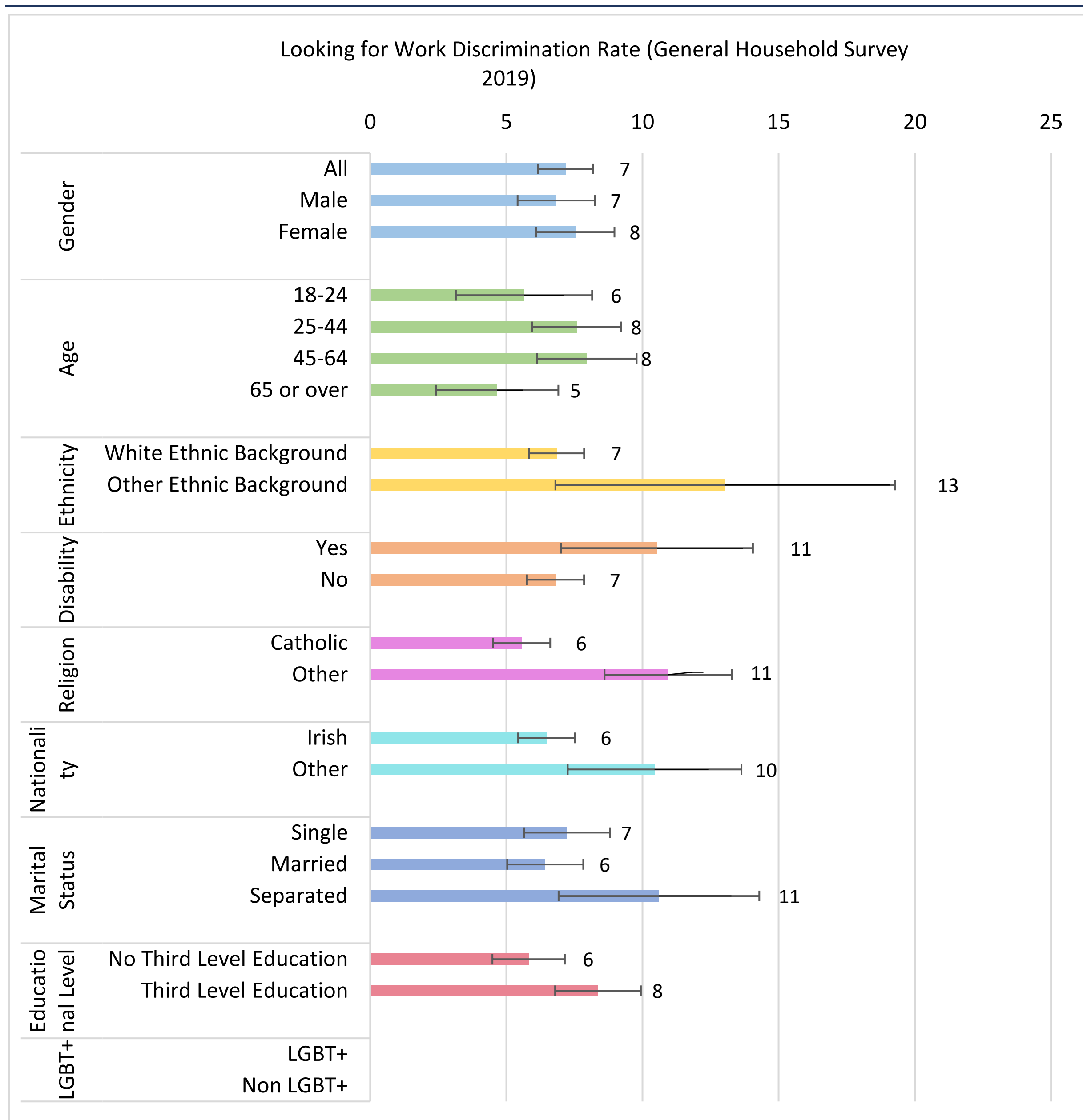
Figure 7.2 shows the proportions of respondents who have self-reported experiences of discrimination in seeking work. Overall, 7 per cent of respondents stated they had experienced discrimination in seeking employment in the two years prior to the survey.

In contrast to experiences of discrimination in work, no significant differences were found in experiences of discrimination seeking work between male and female respondents. This is consistent with previous research in Ireland which found that while men and women differ in their experience of discrimination in the workplace, there is no available evidence to suggest gender differences in the experience of discrimination seeking work (McGinnity et al., 2017).

In terms of looking for work, there are many differences between groups that are large but not found to be statistically significant. For example, between White (7 per cent) and other ethnic backgrounds (11 per cent), or between those with a disability (11 per cent) and those without (7 per cent), between Irish (6 per cent) and non-Irish (10 per cent), and married (6 per cent) and separated (11 per cent) respondents. Because of small sample sizes, we cannot be sure that these differences reflect true differences in the population.

The only statistically significant group difference in the experience of discrimination looking for work was found between Catholics (6 per cent) and other religions (11 per cent). As mentioned previously, this religious difference may also be related to nationality and ethnicity (Kim, 2011).

FIGURE 7.2 GROUP DIFFERENCES IN PERCEIVED DISCRIMINATION LOOKING FOR WORK (GHS 2019)



Source: General Household Labour Force Survey Equality Modules (Quarter 1, 2019), excludes 'does not apply' responses, that is those who had not worked in the two years prior to the survey.

Notes: Data are weighted. Figure lists proportions and 95 per cent confidence intervals by group. Where confidence intervals do not overlap, the differences are significant. Results on LGBTI+ are not presented due to small sample sizes.

Due to the small sample sizes present in the 2019 Equality Modules, research using previous versions of the equality modules were analysed. Research using the 2014 Equality Modules,

which had a larger sample, found statistically significant differences in experiences of discrimination among multiple groups including religious minorities, Irish Travellers, older workers and those with a disability (McGinnity et al., 2017). In 2014, Irish Travellers were almost ten times more likely to experience discrimination seeking work than White Irish respondents (ibid.) Recent research by FRA (2020) also found that 38 per cent of Irish Traveller respondents felt discriminated against when searching for work, the highest proportion of all six countries included in the analysis. Research conducted by the ESRI in conjunction with IHREC using multiple years of the equality modules also found significant differences in terms of nationality and ethnicity with Black non-Irish and Black Irish nationals significantly more likely to experience discrimination seeking work compared to White Irish nationals (McGinnity et al., 2018a).

Figures on the proportion of the LGBTI+ community experiencing discrimination cannot be presented given the small sample size. CSO (2019) evidence suggests higher rates of discrimination in both seeking work and in the workplace for this group.[161]

7.4 SUMMARY OF FINDINGS

Based on the data used in this chapter, which rely on respondents' own assessment of the situation, there is evidence of group differences in the experience of discrimination in the workplace, with higher discrimination rates among women, ethnic minority respondents, those with a disability, non-Irish nationals, and non-Catholic respondents.

There is also evidence that ethnic minorities, non-Irish nationals and non-Catholics report higher rates of discrimination seeking work, but the sample is too small to be confident that these patterns reflect those found in the population. It is likely that the discrimination experienced by these groups is a contributing factor in any labour market disadvantage they experience, though other mechanisms, such as qualifications, work experience and work regulations for non-EU nationals are also likely to play a role.

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[161] Figures are not directly comparable as the analysis in this chapter excludes those who were not seeking work from the base sample.

7.5 DATA RECOMMENDATIONS

It is important to note that the lack of statistically significant differences among certain groups may be due to small sample sizes. The presence of statistically significant differences between groups in previous research conducted using the 2010 and 2014 QNHS Equality Modules (McGinnity et al., 2012; 2017), which had larger sample sizes, suggests that there are significant differences between groups in workplace discrimination; however due to the small sample size of the 2019 survey, these were not captured in this research. These small sample sizes mean that the 2019 Equality Modules are not fit for their purpose of examining differences between groups.

Future iterations of the equality modules need to ensure that there is a large sample size, not only to allow us to adequately analyse whether differences between groups are significant, but also to allow us to distinguish between small groups. Because of the small sample size, we could not distinguish between non-White ethnic groups, though we know from previous research that the experience differs substantially between the Black and Asian population (McGinnity et al., 2018a). We also could not distinguish different religious affiliations. For nationality, we had to group non-Irish respondents together, though once again considerable differences were recorded in previous research (McGinnity et al., 2018b). The GHS also collected information on (self-defined) sexual orientation and transgender identity for the first time in Ireland: these questions could also be used in other surveys. However, we cannot present any data on these groups as the sample size was too small. For a survey of discrimination, if we are to reveal anything about differences in the experiences of small groups of interest in the population, a larger sample size is required.

This special module of the General Household Survey uses best international practice in question wording about the experience of discrimination, and measures an exceptional range of personal characteristics relevant for socio-economic rights monitoring (gender including transgender, age, marital/civil status, disability, ethnicity, nationality, religion and sexual orientation). Those responsible for the survey consulted with relevant stakeholders and those affected by discrimination about the wording of questions for these groups, following UN good practice on collecting human rights data (OCHCR, 2012). However, collecting quantitative data on experiences of discrimination with such a small sample size is of limited value.

CHAPTER 8

Health and safety

In this chapter we examine health and safety in the workplace as a dimension of decent work. For work to be considered decent, employees must be protected from illnesses, both mental[162] and physical, and injuries in the workplace. Ireland has an obligation under Article 7(b) of ICESCR to ensure that workers have access to safe[163] and healthy working conditions under individuals' right to have just and favourable conditions of work. Preventing occupational accidents and illnesses is seen as a fundamental aspect of this right.[164] Health and safety is also recognised as an obligation under the European Social Charter, specifically under ESC; Ireland is obliged to 'eliminate risks in inherently dangerous or unhealthy occupations'[165] or where this is not possible to reduce working hours or provide additional paid leave for workers in such occupations. In addition, the State must issue health and safety regulations and ensure that these are enforced.[166] A number of international instruments also recognise the right to health and safety in the workplace for specific equality groups such as women,[167] racial, national, or ethnic minorities,[168] migrants[169] and those with disabilities (see online appendix for more details on international instruments).[170]

The Health and Safety Authority is the statutory body in Ireland responsible for protecting workers from work-related illnesses and accidents. Despite the existence of structures that outline the right to safe working conditions, the health and safety considerations of employees across the equality groups are not addressed in any of the national equality strategies. However, the entitlement of workers with a disability and older workers to reasonable accommodation to facilitate their employment, is highlighted in the *Strategy for Older People* and the *Comprehensive Employment Strategy for People with Disabilities*.

162 ICESCR GC No. 23 para, 25.
163 GC No. 18, para 12.
164 GC No. 23, para 25.
165 Article 2 (4).
166 ESC Article 3 (2)-(3).
167 CEDAW Article 11.1(f), CEDAW Article 11.2(d).
168 CERD Article 5(e) (i).
169 ESC Article 19 (4)(a).
170 CRPD Article 27.1 (a), (b).

The HSA (2009) highlights that 80 per cent of people with disabilities obtained their disability in adulthood, therefore it is important to ensure that employers implement inclusive health and safety policies for employees with disabilities. It is important to note that the protection of workers' health and safety does not only refer to physical injuries and illnesses but also protecting employees from bullying and harassment. This chapter will look at the rate of work-related illnesses and injuries among workers in the State to determine which groups, if any, have health and safety issues in their workplaces.

Previous research has highlighted the central role of sector and occupation as predictors of risks to workers' safety and health. Workers in agriculture, construction and the health sector have above average risks of work-related injury and have higher work-related illness rates (Russell et al., 2015). However, occupational groups can face different types of health risks. Manual workers are particularly exposed to musculoskeletal illness (Russell et al., 2016), while those in service occupations and in managerial or professional positions are more exposed to job stress, partly due to the emotional demands of their work (Russell et al., 2018a).

Worker fatalities are particularly high in agriculture followed by construction (Russell et al., 2015). There has been a consistent decline in worker fatality rates in Ireland over the last 20 years; however the agriculture sector is the exception to that trend (Privalko et al., 2019a).

While occupation and sector structure predict worker health and safety risks, they are also influenced by demographic characteristics, including protected characteristics such as gender and age (Russell et al., 2015). The analyses that follow look at basic differences between equality groups and these patterns are likely to be shaped in part by the occupational and sectoral distribution of these groups. Even if group differences might be explained by industry or occupational distribution, we should consider whether some key groups (such as migrant workers) are particularly exposed to unhealthy work.

8.1 ANALYTICAL APPROACH

This section discusses the analytical approach and indicators used to analyse work-related illness and injury in the population. The purpose of this chapter is to estimate the main

differences in work-related illness rates across six groups: gender, age, disability, migrant status, marital status, and educational level. It is worth noting that migrant status includes a category for respondents from the UK in both analyses, however the sample size for these respondents were too small to statistically analyse. Similarly, results for those with disabilities are not presented for work-related injury rates as the numbers in these groups were too low.

For work-related illness, respondents in the LFS Accident and Illness modules were asked whether in the last 12 months they have experienced any illnesses or disabilities that they believed were 'caused or made worse by work'. Illnesses could include both physical and mental health problems, and approximately 18 per cent of work-related illnesses recorded on an annual basis are 'stress, anxiety and depression'; nevertheless it is likely that mental health problems are under-recorded (Russell et al., 2016). It is also important to note that occupational diseases with a long latency period (e.g. asbestosis and other cancers) are unlikely to be recorded in a survey of those currently employed (Drummond, 2007). Indeed, cross-sectional statistics on worker health are subject to the 'healthy worker effect' whereby those with the poorest health, including work-related ill health are likely to have exited the labour market leaving behind the healthier workers.[171]

Regarding injury, respondents were asked if they had incurred any injuries 'at work (excluding commuting)' in the 12 months preceding the survey.

8.2 WORK-RELATED ILLNESS RATES

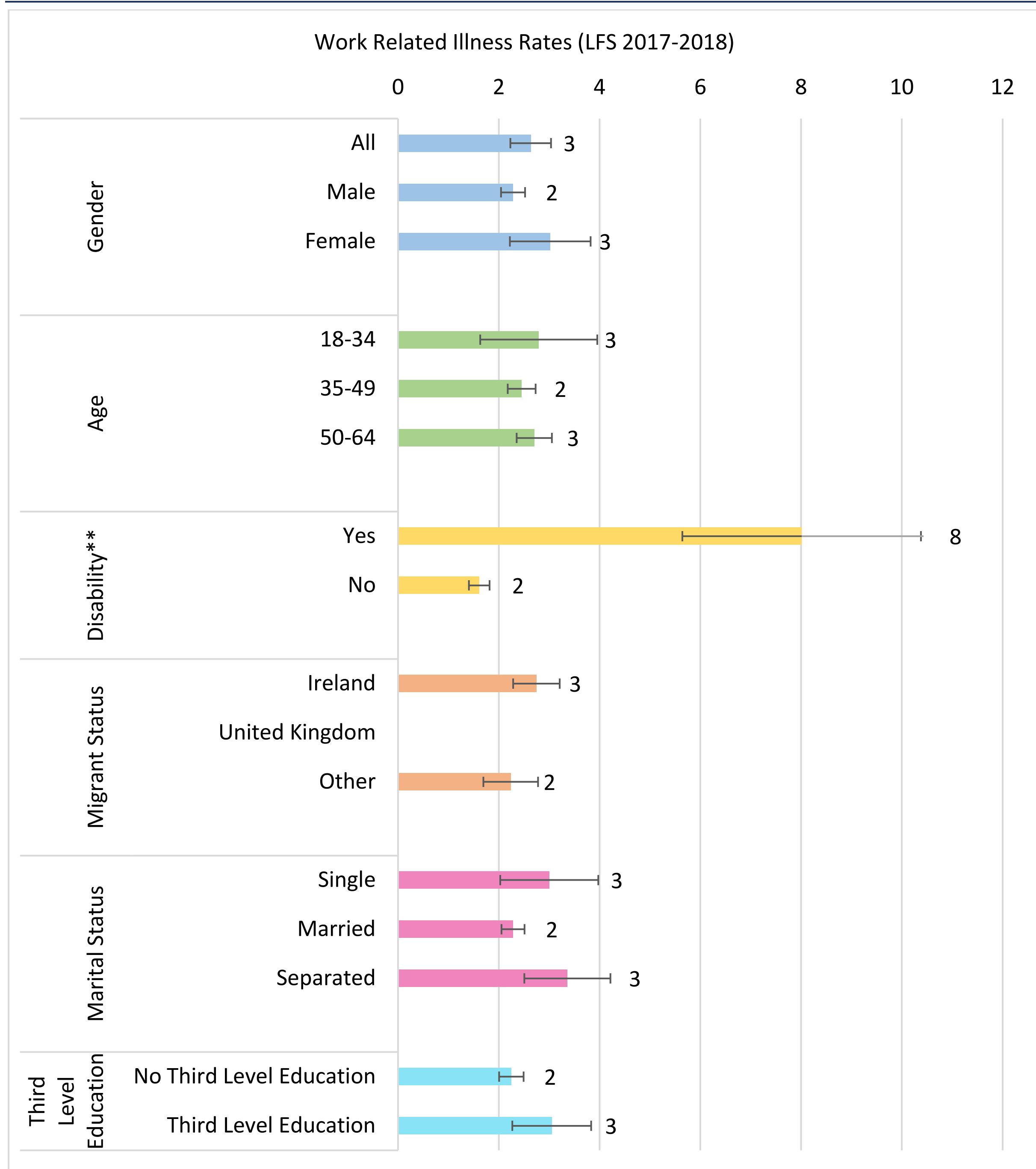
Overall, the prevalence of work-related illness among the working population is low in Ireland (3 per cent), even when compared to other countries using the same definitions. Figure 8.1 examines group differences in self-reported rates of work-related illness in the 12 months prior to the survey.

[171] While there are limitations to this measure, other sources of data on worker health or injury are more limited, for example because they depend on access to clinical care (doctor reported statistics), eligibility for benefits (Department of Employment and Social Protection Statistics) or rely on employer reporting (HSA statistics on non-fatal injuries). The alternative of work-related illness data, especially mental health problems is particularly limited (see Russell et al., 2015 and 2016 for further discussion).

In general, similar levels of illness rates were found within groups, ranging from 2 to 3 per cent for age, gender, migrant status, marital status, and educational level groups. Differences within these groups do not appear to be significant.

A significant difference was found in work-related illness rates between those who have a disability (8 per cent) and those who do not (2 per cent). From the previous chapters we saw that individuals who have a disability have significantly poorer outcomes on many indicators of decent work compared to those without disabilities, such as employment rate (46 per cent compared to 77 per cent) and discrimination in the workplace rate (14 per cent compared to 7 per cent). A limitation of the study is that the current data do not allow us to ascertain if the disability itself was caused by work; this may be the case for some. The result suggests that more effort is needed to accommodate those with disabilities in the workplace so that their health and welfare are not compromised.

FIGURE 8.1 GROUP DIFFERENCES IN WORK-RELATED ILLNESS RATES (LFS 2017-2018)



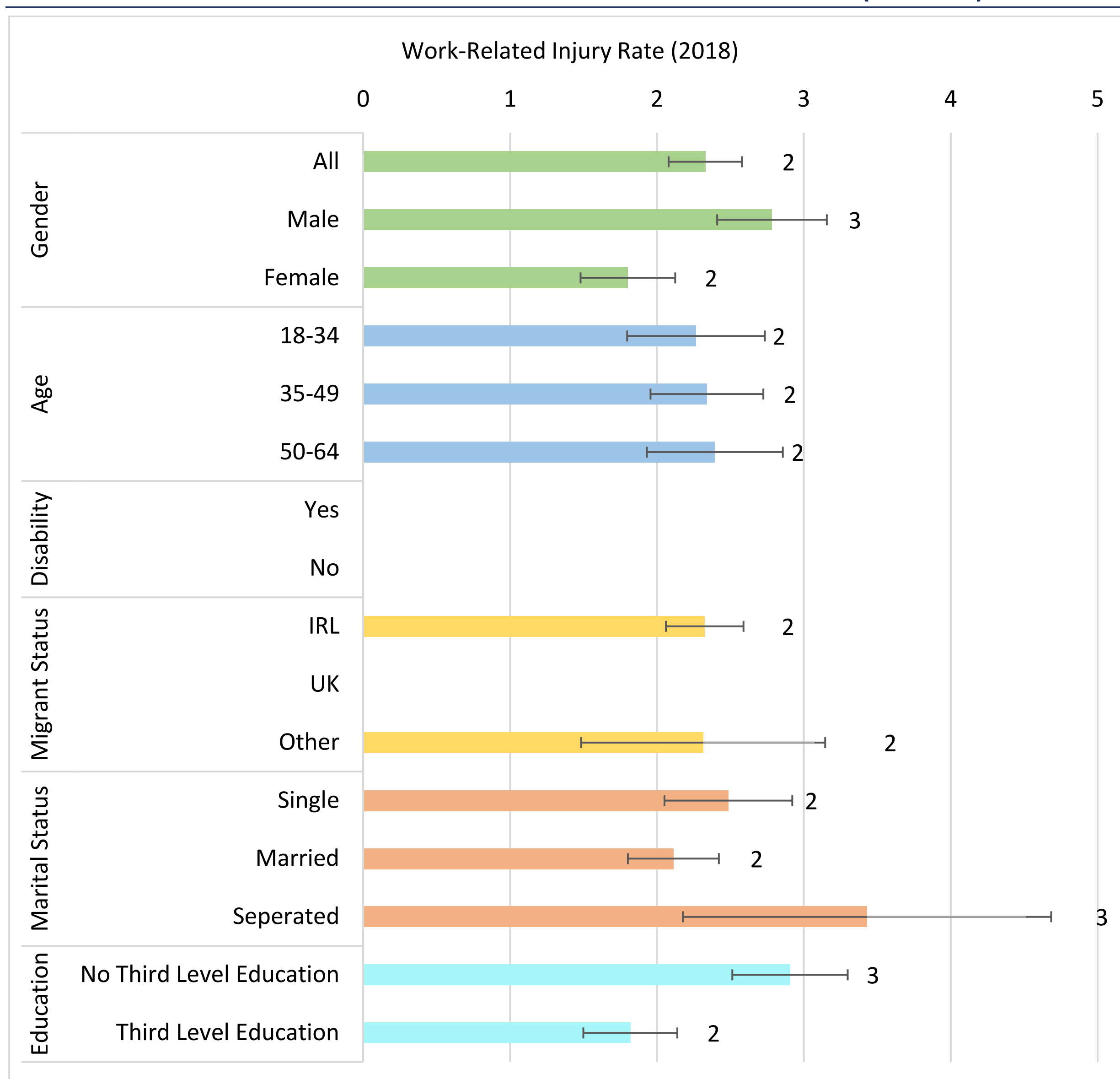
Source: Labour Force Survey Accident and Illness Modules (2017 and 2018).
Notes: All employed, restricted to those aged 18-64. Data are weighted. Figure lists proportions and 95 per cent confidence intervals by group. Where confidence intervals do not overlap, the differences are significant. Includes employees and self-employed workers. **Disability data are presented for 2017 only as 2018 data were unavailable. Results for UK migrants are not presented due to small N.

8.3 WORK-RELATED INJURY RATES

Figure 8.2 examines group differences in work-related injury rates in the 12 months prior to the survey. Similar to the work-related illness rate, injury rate was very low at 2 per cent of those employed of working age.

A significant difference was found between male (3 per cent) and female (2 per cent) respondents. This is likely due to occupational differences between men and women with men more likely to work in industries where injuries are more common such as construction. As noted above, injury rates are higher in construction and agriculture, which are both male-dominated sectors. Nevertheless previous research has found that women had a lower injury rate than men even when sector, occupations, hours of work and other work characteristics are controlled for (Russell et al., 2015).

FIGURE 8.2 GROUP DIFFERENCES IN WORK-RELATED INJURY RATES (LFS 2018)



Source: Labour Force Survey Accident and Illness Modules (2017 and 2018).
Notes: All employed restricted to those aged 18-64. Data are weighted. Figure lists proportions and 95 per cent confidence intervals by group. Where confidence intervals do not overlap, the differences are significant. Data are from 2018 only as 2017 data on injury rates were unavailable. Disability data are not presented as they were unavailable. Results for UK migrants are not presented due to small N.

Respondents with a third-level education (2 per cent) had lower injury rates than those without a third-level education (3 per cent). This effect could be due to occupational differences between these groups. Those with third-level education are less likely to work in manual occupations where the risk of injury is higher.

There were no significant differences found between age, migrant status and marital status groups. Previous research using multiple years of data suggests that younger workers (and those with less work experience) are at higher risk of injury (Russell et al., 2015).

8.4 SUMMARY OF FINDINGS

The Health and Safety Authority is responsible for protecting workers from work-related illnesses and injuries. In general, low rates of injuries and illnesses were found among employed respondents in Ireland. However respondents with a disability were found to have higher rates of work-related illnesses (8 per cent) compared to the general population (2 per cent). This may suggest that there may not be reasonable accommodations in place to protect those with disabilities from illnesses in many jobs. Future disability strategies should consider policies which not only give those with disabilities access to employment, but also ensure that their working conditions are safe to prevent any illnesses relating to their employment. In order to generate effective policies to address the high rate of work-related illnesses among those with disabilities, future research should investigate the causes and types of work-related illnesses experienced by this group. As previous chapters have also shown lower access to employment and higher rates of discrimination for those with disabilities, future disability inclusion strategies should aim to address these differences.

Injury rates were found to differ significantly based on respondent’s gender and educational attainment, which may in part be attributed to occupational differences among these groups. Women and those with higher levels of educational attainment are less likely to work in industries with higher exposure to workplace injuries, such as construction.

Although Ireland has an obligation under ISESCR and the European Social Charter to ensure the right to safe and healthy working conditions for all, significant differences in illness and injury rates exist across equality groups such as gender and disability. Future iterations of the national equality strategies should consider the specific health and safety needs across

equality groups and develop strategies to address differences in workplace illness and accident rates. Given the higher rates of injury among men and the occupational differences between men and women, development of sector specific policy to address health and safety concerns should be considered.

8.5 DATA RECOMMENDATIONS

As mentioned previously, illness rates in the LFS modules underestimate mental health difficulties, and there is a lack of alternative data on this issue. In order to examine both mental and physical health issues caused in the workplace, future surveys should include a question that specifically addresses mental health issues related to work. This is particularly salient given the recent increased focus on work-related stress, anxiety, and depression (Russell et al., 2018). Although the survey includes a question on whether respondents have a disability, the sample size is too small to statistically analyse for the injury rate. It also was not possible to determine whether the disability itself was caused by work, or which type of disability a respondent had, which is a significant data gap. The sample size also prohibits the breakdown of statistics between migrant groups. Future surveys should increase sample sizes to ensure disability can be analysed. A large sample size would allow for a more diverse analysis of differences between migrant groups as experiences could differ greatly based on an individual's country of birth.

CHAPTER 9

Conclusion

9.1 DEVELOPING AN APPROACH TO MONITORING DECENT WORK IN IRELAND

Work is core to people's livelihood, their identity, and their well-being (Eichhorst et al., 2018). Having a decent job gives workers adequate financial resources, and contributes to their physical and mental health, their personal control and sense of purpose. Conversely exclusion from paid work and poor-quality work are threats to realising other human rights, such as health and housing. Lack of work is closely linked to poverty and deprivation (Watson et al., 2012). The right to decent work is a core socio-economic right in ICESCR, the European Social Charter and other international instruments such as CERD, CEDAW and CRPD (see online appendix).

This report seeks to develop an instrument for monitoring and then provides baseline figures on access to decent work across protected groups and education levels in Ireland, based on the latest available pre-pandemic evidence. It does so using a rights-based approach that situates Ireland in the context of international obligations about core minimum standards of decent work and non-discrimination. As it is the first attempt to develop a monitoring approach to decent work in Ireland, it does not compare the situation to a previous standard, by asking 'has decent work in Ireland improved?' but aims to establish the principle of monitoring decent work and setting benchmarks for comparison in the future. It is important to note that the purpose of monitoring is to highlight both kinds of evidence; where a right is being enjoyed or realised, and where it is not. This report offers a baseline on which to examine the protection of the right to work as Ireland experiences the challenge of the COVID-19 pandemic. As Vizard and Hills (2021) argue with regard to the UK, the impact of the public health crisis and the economic shock that occurred in the wake of COVID-19 cannot be understood independently of the social conditions (in this case the labour market conditions) that prevailed on the eve of the pandemic.

Defining what counts as decent work in Ireland is a challenging but necessary task for the purpose of monitoring. As outlined in Chapter 1, even defining work itself is difficult (should

it include unpaid work?), and what people value in a job can vary across the population. Given this, this study does not define any given job or jobs as 'decent', but rather selects key dimensions of work, based on a targeted consultation, and rooted in international standards: access to work; adequate earnings; employee voice; security and stability in work; equality of opportunity and treatment in employment; and health and safety. Some important elements of work had to be left out (skill development, working time/work-family balance, and social protection, see Chapter 2) to propose an instrument that is manageable, but equally the instrument can be further refined as the monitoring process evolves.

This chapter summarises what we have learned about the realisation of decent work in Ireland prior to the COVID-19 pandemic, particularly for different groups; the challenge that the COVID-19 pandemic represents; some limitations of the instrument, and data gaps, and implications of these for the monitoring exercise going forward.

9.2 DECENT WORK IN IRELAND AND FOR WHOM?

Regarding access to employment, this report considered rates of employment and unemployment, and group differences, using the standard International Labour Organization (ILO) definitions. This counts someone who has done any paid work in the previous week as employed. In general, in 2019 we found that the working-age employment rate was high (73 per cent of respondents) and the unemployment rate (5 per cent), was low on the eve of the pandemic. However, these overall rates masked significant differences between key groups. Generally, women, young respondents, lone parents, those with a disability, and migrants from outside the EU experienced significantly lower rates of employment and higher unemployment (with the exception of women). Less than half of the population of working age with a disability was employed.

We were also able to consider employment rates using Census data, where people report their 'principal economic status', religion and ethnicity. Black and Muslim respondents reported low employment and high unemployment rates. Irish Travellers report exceptionally low employment rates and four out of five Travellers are unemployed. Occupational attainment analysis, for those in work, revealed that young respondents, those with a disability and Eastern European migrants were all much less likely to work in high-skilled jobs.

Gaps in employment and unemployment show there is potential to increase labour market participation. Previous research has shown that unmet need for formal childcare increases a woman's chances of being a full-time carer (Privalko et al., 2019b, Grotti et al., 2019a). This is especially important for lone parents who must balance the dual role of caring for children and providing financially for the home. Research has also shown that higher childcare costs in Ireland are associated with somewhat lower hours of paid work, particularly for lower income households (Russell et al., 2018b). While international evidence suggests that the introduction of affordable childcare may increase labour supply among mothers, this depends on policy design, country context and personal characteristics (Cattan, 2016). Early indications are that the new national childcare scheme has benefited low income families more (Callan et al., 2021), but to what extent the introduction of more affordable childcare in Ireland increases the employment of mothers remains to be seen.

Low occupational attainment among Eastern European migrants found in the current study is consistent with other research which shows that they record lower educational attainment, though also lower returns to their education. Previous research has also shown that some East Europeans report low English language proficiency, therefore accessible and affordable English language training for adult migrants is likely to be beneficial for this group, and other migrants with lower proficiency in English (McGinnity et al., 2020b).

A striking finding from Chapter 3 is that notwithstanding group differences in employment rates in both 2014 and 2019, employment rates grew for all the groups considered in the economic and labour market growth period between 2014 and 2019. Employment rates rose for men and women, all age groups, all migrant groups, all marital/family groups and for those with a third-level degree and those without.[172] The groups for whom employment rates rose less tended to be those where employment rates were already high (for example highly educated or married respondents). This underscores the importance of the availability of jobs and growth in the labour market for different groups' ability to realise the right to work.

[172] This analysis on change between 2014 and 2019 is based on LFS data, so does not consider ethnic group or religious group differences in employment rates.

In terms of adequate earnings, the results presented in Chapter 4 identify a number of groups that have a significantly higher risks of low pay, including young people, migrants from Eastern Europe, lone parents, and those with low educational attainment. The results are consistent on both measures used (low hourly pay and low weekly pay). Previous research has highlighted the lack of adequate earnings for workers who are lone parents could be related to the lower educational attainment levels among this group; the importance of education in improving earnings is emphasised in the *National Strategy for Women and Girls 2017-2020*, with improving access to education and training for lone parents as one of the measures proposed to advance socio-economic equality for women and girls. Low pay among Eastern European migrants is consistent with lower occupational attainment as described above. In the case of young people, low levels of previous work experience is a key factor, and earnings would be expected to rise with age and experience.

Minimum wage legislation establishes a statutory 'minimum standard' in terms of earnings, and the Low Pay Commission – established in 2005 – is an important mechanism for monitoring its implementation. The notion of 'equal pay for equal work' is an important one, but difficult to assess without considering both pay and details of the nature of the job (European Commission, 2020). One important step in helping to ensure equal pay for equal work is pay transparency. The Gender Pay Gap Information Bill 2019 is currently progressing through the Houses of the Oireachtas in Ireland, though was delayed in 2020.[173] This Bill will require employers to publish information relating to the renumeration of employees. A draft Code of Practice on Equal Pay,[174] which was designed to give practical guidance to employers and employees about the right to equal pay and how to eliminate it, has yet to be approved.[175] A Citizen's Assembly on Gender Equality has been established to advance gender equality by bringing forward proposals to, among other issues, address gender

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173 https://www.oireachtas.ie/en/bills/bill/2019/30/.

174 The Irish Human Rights and Equality Commission is mandated to develop codes of practice on certain matters of human rights and equality, including the promotion of equality of opportunity in employment, to submit to the responsible Minster for consideration (Section 31, Irish Human Rights and Equality Commission Act, 2014).

175 A draft Code of Practice on Equal Pay was referred to the Minister for Justice and Equality for approval by IHREC in December 2018. (https://www.ihrec.ie/app/uploads/2019/06/IHREC_2018_AR_English_Digital.pdf, p. 30). The code is currently with the Minister for approval.

inequalities in the labour market. Their recent recommendations cover a wide range of areas including pay and the workplace and caregiving and childcare.[176]

Regarding security and stability of work, we found that those aged 18-24 report much higher rates of temporary work than older workers. Women also report slightly higher rates of temporary work than men. But temporary contracts are just one measure of job (in)security: further work could usefully be conducted on the prevalence of zero-hour contracts as well as ‘if and when’ contracts. More generally, there is a substantial data gap in capturing workers in the informal economy and in platform employment, which should be addressed in future monitoring. Existing evidence suggests that informal work is low in terms of prevalence in Ireland, but difficult to measure (Williams, 2014). Research on platform work – that is employment associated with an online platform such as Deliveroo drivers – has shown that Ireland has the fourth highest prevalence of platform work across 16 EU countries (McGuinness et al., forthcoming). The researchers highlight challenges faced by individuals working in these types of jobs including ‘loss of employment standards, lack of social protection coverage, difficulty in accessing social protection entitlements and low pay and increased insecurity’ (ibid). Further investigation would need to be undertaken in Ireland, particularly to see whether prevalence varies across different groups.

Non-discrimination is a core principle of International Covenant on Economic Social and Cultural Rights, and discrimination is prohibited in Ireland under the Equality Acts (see Chapter 1). However, based on the data used in this chapter which rely on respondents’ own assessments of the situation, there is evidence of group differences in the experience of different groups in the workplace. Specifically, women, ethnic minority respondents, those with a disability, non-Irish nationals, and non-Catholics all report higher rates of discrimination in the workplace. Examples of discrimination in the workplace are evident in Irish case law, such as unfair dismissal of employees on the grounds of their disability.

Research using earlier data on the experience of discrimination, which had a larger sample, found statistically significant differences in experiences of discrimination seeking work

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176 The first meeting was held in January 2020 and this Assembly published their recommendations in April 2021. See https://www.citizensassembly.ie/en/what-we-do/meetings/voting-results-citizens-assembly-on-gender-equality/voting-results-citizens-assembly-on-gender-equality.html.

among multiple groups including religious minorities, Irish Travellers, older workers, and those with a disability. Earlier research using larger sample sizes particularly highlighted the much greater likelihood of experiencing discrimination both in the workplace but also in seeking work, for example among those who are of Black ethnicity (McGinnity et al., 2018a). In the recent European Action Plan Against Racism (2020-2025), the European Commission has called on each Member State to produce a national action plan against racism by 2022.[177] An Anti-Racism Committee was established in Ireland in 2020 and there is a commitment to publish a new action plan against racism in 2021 in the Programme for Government: the interim report of this committee has very recently been published and a public consultation launched (Government of Ireland, 2020).[178]

There is relatively robust national legislation in Ireland prohibiting discrimination both in the workplace and in seeking work (see Chapters 1 and 7). There is no legislation prohibiting discrimination on the grounds of socio-economic disadvantage currently in place, though the Government has committed to examine the introduction of this ground to the Employment Equality and Equal Status Acts (Government of Ireland, 2020).[179] While offering robust statutory protection for the groups covered, discrimination legislation is not 'self-enforcing'. The pursuit of legal cases could usefully be complemented with policies to promote and support equal opportunities, awareness raising of provisions under legislation and sanctions for non-compliance (OECD, 2013). Reporting incidences of workplace discrimination is also important, and previous research suggests reporting discrimination only happens in a minority of cases (CSO, 2019).[180]

In terms of opportunities for Irish workers to be represented, overall we find that trade union membership in Ireland is lower than in many EU countries (at 26 per cent), though a higher proportion of workers are covered by trade union agreements (34 per cent). Women report higher rates of trade union membership when compared to men; EU migrants report lower trade union membership than respondents born in Ireland, and respondents without

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177 https://ec.europa.eu/info/files/union-equality-eu-action-plan-against-racism-2020-2025_en.

178 https://www.gov.ie/en/press-release/c9325-minister-ogorman-publishes-interim-report-of-independent-anti-racism-committee-and-welcomes-the-launch-of-the-committees-public-consultation/.

179 See for example https://www.ihrec.ie/app/uploads/2018/01/Observations-on-Equality-Miscellaneous-Provisions-Bill-2017.pdf.

180 In 2019, of those who had experienced discrimination in any work-related or service domain, 30 per cent took action of any kind (CSO, 2019).

a third-level education report lower trade union membership than those with a third-level education. Further research could investigate union membership by tenure (how long an individual has worked for their company or organisation), sector and occupation to uncover some of the mechanisms explaining union or staff association membership.

Job control is less concerned with representation, but rather how much control workers have – or more specifically how much control they feel they have – over their day-to-day job. Self-reported control is generally high in Ireland (57 per cent of workers report control over their tasks, timing, and pace of work) and group differences small. However, younger people report lower job control, which is likely to be related to both how long they have been in their jobs and how senior they are in the organisation they work in. Women also report lower job control than men. Note the sample is smaller and the data older than many other indicators: this is because job control is not measured so frequently or in large surveys in Ireland. However, the findings on age and gender differences are consistent with a larger survey fielded in 2019 (CSO, 2020b).

Regarding health and safety, we find that work-related illnesses are uncommon overall, but may be more likely for respondents with a disability. Work-related injury is also uncommon but disproportionately affects men and respondents without a third-level education. These differences are likely to reflect sectoral and occupational differences between workers. Employers would usefully implement Health and Safety Authority guides for inclusive health and safety practices, with a focus on employees with disabilities (there must be reasonable accommodation for people with disabilities which could in turn increase participation of older workers). Russell et al. (2018a) argue that there is a greater need for focusing on emerging psychosocial risks and outcomes such as mental health and stress, which some employers find challenging to address. Targeting health and safety concerns at work could limit illness and injury while increasing employment rates and workplace participation more broadly.

A number of national policies address employment in Ireland such as the *Action Plan for Jobs*, the *Roadmap for Social Inclusion 2020-2025*, and the *Pathways to Work Strategy 2016-2020.* However, the focus here is often solely on accessing employment, rather than facets of decent work such as security or earnings. A recurring issue in almost all of the

chapters is that the equality strategies for marginalised groups focus on activation, not on ensuring decent work. Access to work is addressed under national equality strategies for groups such as migrants,[181] lone parents[182] LGBTI+,[183] Roma and Travellers;[184] however other aspects of decent work such as adequate earnings, employee voice, security and stability of work, and health and safety are largely unaddressed. The presence of significant differences in these facets of decent work between groups highlights the importance of incorporating not only access to work but access to decent work in the national equality strategies. A number of strategies are being reviewed this year with a view to developing successor strategies; the *Migrant Integration Strategy*, the *National Strategy for Women and Girls 2017-2020*, and the *National Traveller and Roma Inclusion Strategy 2017-2021* (Government of Ireland, 2020). This may be a good opportunity to incorporate the notion of 'decent work' into these strategies.

9.3 THE CHALLENGE OF THE COVID-19 PANDEMIC

Indicators on the right to work in 2019 in Ireland show an economy in recovery, with high employment levels – though there are some notable exceptions described above. The COVID-19 pandemic and associated lockdown has presented an unprecedented challenge to Irish society and the Irish labour market. New divisions have emerged, as noted in Chapter 1, between those who have the privilege to work from home, those who work on the front line, not just in the health and social care services but also in low paid retail and essential service work, and those who have been put on temporary layoff or lost their jobs, with considerable job insecurity.

The health and safety of those working in essential and frontline services is particularly impacted in this crisis, with health sector workers more likely to get infected. Women and certain groups (those of Asian and African origin) are more likely to work in the health sector and are more exposed to risk of infection (Enright et al., 2020). Evidence from the last recession suggests that work pressure among employees rose (Russell and McGinnity, 2014), and the COVID-19 pandemic may have exacerbated already high levels of work stress

181 Actions 40, 41, 42 and 44, *Migrant Integration Strategy*.
182 Action 1.13 *National Strategy for Women and Girls 2017-2020.*
183 Action 2.1, 2.3, 2.7, 2.11 *National LGBTI+ Inclusion Strategy 2019-2021.*
184 Action 24, 25, 28, 36, 107 *National Traveller and Roma Inclusion Strategy 2017-2021.*

in the health sector (Russell et al., 2018a). There has also been a high incidence of COVID-19 in meat factories (NESC, 2021). In Ireland, the low-wage meat processing sector is dominated by migrant labour: MRCI (2020) estimates that just under 60 per cent of people employed in meat production are non-Irish nationals, mostly from Eastern Europe and non-EU countries. Poor working conditions, including pressure to work at speed on production lines, and lack of sick pay were a central theme of a recent survey of migrant workers in the meat sector in Ireland (MRCI, 2020).[185]

While COVID-related payments have cushioned many of these workers from the income effects of the crisis in the early period (Doorley et al., 2020), the potential scarring effects on different groups in the labour market are not yet clear. Based on evidence from previous recessions (for example McGinnity et al., 2014), and what we know already, certain groups are more at risk of being displaced from their job than others (McGuinness and Kelly, 2020), for example young people (Darmody et al., 2020). Whether or not recipients of pandemic related payments such as PUP recommence work or move to the Live Register (of unemployed) when these payments are discontinued is not known (ibid). The impact on job quality is even less clear at this point. As noted in Chapter 1, the issue of whether measures introduced as a result of the COVID-19 pandemic have the effect of worsening the availability of decent work overall or for a particular group – the principle of non-retrogression – is particularly pertinent in this period.

9.4 STRENGTHS AND LIMITATIONS OF THE STUDY

There are some important limitations of a monitoring exercise such as this. As discussed above, indicators need to be selected, so not all aspects of work could be considered. As this is the first study of its kind, the value of this study is providing a benchmark rather than analysing change – the strength of a monitoring exercise will be enhanced by being repeated over time. Considering one country – Ireland – in depth offers considerable advantage in terms of how appropriate and relevant the instrument is, and how the country and group-specific analysis are conducted, but does not allow Ireland to be compared internationally. Considering one country allowed an extensive consultation with relevant

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185 In other European countries, living in overcrowded accommodation is common among workers in the sector, but there is no clear evidence in Ireland that that is the case (MRCI, 2020).

stakeholders from a wide range of perspectives, to inform the development of the dimensions and indicators of decent work. This monitor of decent work shows that it is possible – if challenging – to develop indicators from a rights-based perspective and the approach, with modifications, will be applied to a forthcoming analysis of housing.

The analysis has focused on current job and employment policies. However education, training policy, childcare, social welfare and taxation policy are also essential in influencing the type of work individuals have access to and outcomes; particularly the causes and consequences of unemployment for households. Monitoring exercises need to draw boundaries in the interests of coherence and manageability. Different dimensions are often considered separately. For example there is a separate set of indicators for the right to education or the right to an adequate standard of living (EHRC, 2019).The overlapping nature of these dimensions is acknowledged in both the human rights perspective (indivisibility of rights) and the quality of life/equality reporting.

Another important limitation is the focus in this report on paid work, whereas much of the work carried out in Ireland is unpaid (Russell et al., 2019a). The value of caring work – paid and unpaid – and how important it is for the functioning of society has been highlighted during the COVID-19 pandemic (DelBoca et al., 2020). Regularly measuring the extent of unpaid work and who is doing it would be an important complement to this analysis of paid work, and is discussed further below. Applying dimensions of decent work such as adequate earnings would be challenging but indicators that are relevant to unpaid work could potentially be developed in the future. For example: 'sufficient rest and leisure' (including paid holidays, which can take the form of access to respite care and/or paid care alternatives); safe working conditions (indicators of the impact of unpaid work on workers' mental and physical health); and autonomy (extent to which unpaid workers have chosen their role and had it forced upon them through lack of alternative arrangements).

The idea that the combination of a number of specific characteristics can lead to distinct forms of discrimination or disadvantage is known as 'intersectionality' (Chow, 2016). For a Monitor like this, a relevant question is; is there an additional disadvantage associated with being a member of multiple (potentially) disadvantaged groups? For example, if women and ethnic minorities are disadvantaged in the labour market, do ethnic minority women have

poorer labour market outcomes than one would expect, given they are both female and from an ethnic minority? Whilst the importance of investigating intersectional experiences such as this is widely recognised, this would require extensive data analyses. The concept could usefully be applied – but very selectively – to monitoring in the future, ideally setting out specific 'priority' combinations, for example disability or ethnicity by gender, and potentially using statistical modelling (see Watson and Lunn, 2010).

A key principle of a rights-based approach to monitoring is 'holding the State to account' for compliance with international human rights commitments. A clear challenge in the case of decent work is the boundaries of the State's role. While the State has an important role to play in both regulating the labour market, ensuring a minimum floor of working conditions, including wages, and is also an important employer, most jobs in Ireland – a market economy – are in the private sector and not provided by the State. The State has an important role in facilitating the creation of jobs, but these are mostly generated in the private sector. In 2019, around four out of five employees worked in the private sector.[186] While the State can set minimum protections against discrimination, recruitment and promotion decisions outside the public sector are made by other actors.

As was noted in Chapter 1, people need to have a job to have a decent job, which is why Chapter 3 focuses on access to employment before considering what jobs could be considered 'decent'. Yet there is a trade-off between the quantity and quality of jobs: at a certain wage level, it may no longer be profitable, or even viable, for the employer to produce the goods or deliver the services it does. While the job quantity-quality trade-off is sometimes overstated, it does present a challenge for investigating decent work from a rights-based perspective. At a very general level, OECD comparative evidence suggests that countries with high employment rates tend to have high-quality jobs and vice versa, at least in the medium to longer term (OECD, 2014b).[187] So policies to ensure more and better jobs are not contradictory, but it is crucial to consider both what proportion of those in the labour force have a job or are unemployed, as well as the quality of that job.

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186 Based on number of employees in Q3 2019 and including semi-state bodies in the public sector. See Table A2, https://www.cso.ie/en/releasesandpublications/er/lfs/labourforcesurveylfsquarter42019/.

187 The relationship between quantity and quality is more complex in the short term in the context of economic crises.

Another challenge for monitoring decent work from a human rights perspective is the concept of maximum available resources for the progressive realisation of any given socio-economic right. As Nolan (2015) asks, is it only state spending that is explicitly linked to a particular area (in this case employment), and if so, how does one measure spending when it could potentially be linked to multiple social-economic rights? Or does it include other state spending that might influence individuals' capability to achieve their rights? How can/should one assess whether the state is making use of the whole range of resources available to it, given that state spending is fungible? (ibid.). As discussed in Chapter 1, to address the root causes of the lack of realisation of rights means moving beyond a right-by-right approach to consider macroeconomic and fiscal policy, including budgets and budgetary choices, tax, and welfare policies (De Schutter, 2018). This is undoubtedly a challenging exercise. In this regard, the recent introduction of equality budgeting to Ireland, while not without challenges, is an important initiative (OECD, 2019). The aim of equality budgeting is to help policymakers better anticipate the potential impact of decisions made in the budgetary process and thereby enhance Government decision-making from an equality perspective. In examining budgetary choices of course, it is tempting, and certainly easier, to focus on spending and policy effort devoted to particular groups in targeted policies. But actually big-budget 'universal' policies (such as health, education, social welfare) and how they are implemented are likely to make more of a difference to the lives of any given disadvantaged group than a targeted intervention.

9.5 RELEVANT DATA GAPS AND THEIR IMPLICATIONS

A monitor such as this is only as good as the evidence on which it is based. What gets measured gets monitored, what gets counted, counts, so issues such as measurement, the evidence base and how robust this evidence is are crucial.

The Labour Force Survey is a key resource for labour market research in Ireland. The sample size is excellent, it is conducted very regularly, definitions are typically consistent over time and it is accessible for research and policy analysis. For indicators that it measures and groups that it distinguishes, it is excellently suited to monitoring decent work in Ireland. One exception to this is the question on trade union membership, which conflates trade union and staff association membership. Given these are rather different in terms of the labour rights they confer, measuring trade union membership would be the priority here. This issue

was also raised in the stakeholder consultation. LFS special modules are also particularly useful, as they can be used to investigate particular topics in more depth, with the benefit of a large sample, so groups can be distinguished.

The Labour Force Survey in Ireland does lack detailed information on earnings. Data matching initiatives by the CSO that link the LFS and Revenue data will be an important addition to the monitoring of decent work, combining the benefits of detailed Revenue data with employee and job characteristics from the Labour Force Survey.[188] The new earnings, hours and employment costs survey is also a valuable addition to resources available for examining earnings for different equality groups.[189]

In general, there is a lack of data on working conditions in Ireland, in particular on intrinsic job quality, which is why the analysis in Chapter 8 is based on the European Working Conditions Survey, which has a limited national sample. The most obvious solution is to include more job quality indicators in the Labour Force Survey, given the frequency and sample size, potentially on a 'rolling basis', so one or two indicators are included every 2 years, rotating with two others every 2 years. This is important as these sort of items – work pressure, work-family conflict, job control, perception of job security, job satisfaction, organisational commitment – are not available in administrative data, and are important for workers' experience of their jobs. A dedicated workplace survey, such as those fielded in Ireland in 2003 and 2009 (see Watson et al., 2010; Russell et al., 2014), would be an excellent contribution to what we know about Irish workplaces and working conditions, to supplement more focused studies on, for example, bullying at work (Hogan et al., 2020). Or even a special repeated short module on job quality attached to the Labour Force Survey would be a promising way to supplement these indicators. The recent EU-LFS special module on job autonomy and work pressure is helpful, but these data are not yet available for analysis. In particular the issue of remote working and flexibility in terms of hours and place of work has emerged in the pandemic as more salient than previously (McCarthy et al., 2020).

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[188] https://www.cso.ie/en/releasesandpublications/rp/rp-eappp/eappp20152018/methodologyanddatasources/.

[189] https://www.cso.ie/en/methods/earnings/earningshoursandemploymentcostssurvey/.

Religion, gender identity and sexual orientation are not measured on survey data or administrative data, with the important exception of the equality module on the experience of discrimination. This survey offers considerable potential, but the small sample size of the latest (2019) equality module severely limits its use for the very same vulnerable groups it seeks to record. The previous versions of this survey which were linked to the Labour Force Survey were much richer in terms of what they could reveal about the experience of discrimination among small and potentially disadvantaged groups.

The measurement of an individual's social origin – such as the education or occupation of parents when respondent was aged 14 or a similar indicator – in a large-scale survey like the Labour Force Survey, as well as the equality module, would facilitate analysis of outcomes by social origin, and more generally social and educational mobility in Ireland (Erikson and Goldthorpe, 1992; Whelan and Layte, 2007, in Ireland). A recent module has been fielded in the Survey of Income and Living Conditions (2019) and has potential to add to our understanding of some of the outcomes measured in the SILC survey, though the sample is small.

In terms of accurately measuring time spent on unpaid work, such as caring and housework, time-use surveys represent the gold standard (Russell et al., 2019a). Time-use studies in Europe and other OECD countries have been instrumental in progressing knowledge of non-market activities. Ireland does not currently have a time-use survey, and one is long overdue.

A persistent issue with high-quality survey data is the fact that marginalised groups are often small, and represent a small proportion of the population, for example Irish Travellers. Disclosure rules, enforced by the Central Statistics Office to protect the privacy of these individuals, consistent with a human-rights based approach to data (OCHCR, 2018), often mean that either groups need to be combined (for example 'all non-EU nationals') or are not separately identified and thus excluded from the analysis (Irish Travellers). While this is best practice in terms of data collection and use, it does mean that important groups are often excluded from (quantitative) analysis. Booster samples offer potential here, as do special modules of large, ongoing surveys like the Labour Force Survey, though both of these are expensive.

Another option is to use administrative data. Administrative data have the potential to form an important complement to survey data in measuring equality outcomes. These data record all recipients of a given training course, medical treatment, or examination outcome, for example, and if some measure like disability status, nationality or ethnicity is recorded, this allows monitoring of both participation and outcomes. This assumes the data are usable and accessible for the purpose, which may not be the case. After all, the primary purpose of data collection was not research and evaluation. An important initiative is the ongoing equality data audit being conducted by the Central Statistics Office as part of the equality budgeting process. The focus here is data relevant to all the equality groups listed under Irish equality legislation, age; gender; disability; marital status; family status; ethnicity; nationality; religion; sexual orientation and membership of the Traveller community. This exercise covers an impressive range of administrative data, in addition to survey data.[190] The ability to analyse administrative datasets with survey data offers tremendous potential for research in the area. Linking administrative data to survey data offers even more potential.[191]

Nationality and/or place of birth are measured reasonably frequently in both survey and administrative data in Ireland, albeit sometimes with small samples (Fahey et al., 2019).[192] The situation is rather different for ethnicity. This is only regularly measured in the Census of Population, every five years, and a very limited number of administrative data sources (Fahey et al., 2019). While ethnicity and nationality are grouped together in the equality legislation in Ireland, as noted in Chapter 2, ethnic minorities and migrants are overlapping groups but rather different, both in terms of composition and in terms of outcomes. By using Census data this report has clearly demonstrated extremely poor labour market outcomes for Irish Travellers, but this group only features in Chapter 3, as they are not

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190 See https://www.cso.ie/en/methods/methodologicalresearch/rp-eda/equalitydataaudit2020/ for the report on the equality data audit. See also Equality Data Audit July 2020 Audit File (XLS 416KB) for the data audit itself.

191 The frontier project series of the Central Statistics is a good example of this. A recent frontier series output matched Census 2016 data to confirmed COVID-19 cases from the Computerised Infectious Disease Reporting (CIDR) dataset provided to the CSO by the Health Protection Surveillance Centre (HPSC). See https://www.cso.ie/en/releasesandpublications/fp/fp-ac19/aprofileofcovid-19inireland-usingcensus2016householddatatoanalysecovid-19casesfrommarchtonovember2020/introduction/. This allowed Enright et al. (2020) to report on COVID-19 cases by ethnicity and nationality in Ireland.

192 For example, the EU-SILC sample size restricts analysis to very broad migrant/nationality groupings (see Chapter 7 and Fahey et al. (2019).

identified in any other data sources. While there is a valid concern that groups may be small (especially Travellers) and not easy to reach, without some measure of ethnicity, outcomes of ethnic minorities cannot be monitored.

Of course as well as having an unprecedented impact on the labour market and many other aspects of life, the COVID-19 pandemic has brought both challenges and opportunities for how data are collected and research such as this is conducted.[193] For example for the Labour Force Survey – the main source of data on the Irish labour market – COVID-19 has challenged the typical ILO definitions used, as many people on temporary income supports have done no paid work in the past week, but are not seeking work so do not count as unemployed using the ILO definition. In terms of LFS fieldwork, response rates in Q2 2020 dropped as interviewing moved rapidly from face-to-face interviewing to telephone only.[194]

More generally, there has been a massive shift away from in-person interviewing to telephone, or more typically, online surveys, or a mixture of both (Nind et al., 2021). While there is yet little evidence of impact on response rates, particularly on the coverage of vulnerable populations, online surveying is certainly cheaper to conduct, particularly when compared to face-to-face interviewing. Where representativeness/coverage can be ensured, online surveys may offer new potential to gather data on working conditions or unpaid work, to enhance our understanding of decent work and fill some of the data gaps highlighted in this report.

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193 https://www.cso.ie/en/releasesandpublications/in/lfs/informationnoteonimplicationsofcovid-19onthelabourforcesurvey/.
194 https://www.cso.ie/en/releasesandpublications/in/lfs/informationnoteonimplicationsofcovid-19onthelabourforcesurvey/.

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APPENDIX 1

Decent work international instruments

TABLE A1.1 DIMENSIONS OF DECENT WORK INTERNATIONAL REPORTING TABLE

Dimensions of Decent Work	European Social Charter/Collective Complaints	ICESCR	Intersectional UN treaties (CEDAW, CERD AND CRPD)
Access to Work	- Article 1 (2) – *The right to work* - Article 15 (2) – *The right of persons with disabilities to independence, social integration, and participation in the life of the community* - Article 20 (a), (d) – *The right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex*	- Article 6.1 – *The right to work* - General Comment no. 18 on the right to work	- CEDAW Article 11.1 (a), (b), (c) - CEDAW Article 11.2 (b), (c) - CERD Article 5(e) (i) - CRPD Article 27.1 (a), (b), (e), (g), (h), (j), (k)
Adequate Earnings	- Article 4 (1)-(5) – *The right to a fair remuneration* - Article 19 (4)(a) – *The right of migrant workers and their families to protection and assistance* - Article 20 (c) – *The right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex* - Article 27 (1)-(3) – *The right of workers with family responsibilities to equal opportunities and equal treatment* - No. 132/2016 *University Women of Europe (UWE) v. Ireland (Violation of Article 4§3)*	- Article 7.1 (a) - *the right of everyone to the enjoyment of just and favourable conditions of work – remuneration* - General Comment no. 23 on the right to just and favourable conditions of work, para.7-24	- CEDAW Article 11.1 (d) - CERD Article 5(e) (i) - CRPD Article 27.1 (b)
Employee Voice	- Article 5 – *The right to organise* - Article 6 – *The right to bargain collectively* - Article 19 (4)(b) – *The right of migrant workers and their families to protection and assistance* - Article 28 – *The right of workers' representatives to protection in the undertaking and facilities to be accorded to them*	- Article 8.1 (a) - *The right of everyone to form trade unions and join the trade union of his choice* - General Comment no. 18 on the right to work, para.12	- CERD Article 5(e) (ii) - CRPD Article 27.1 (c)

	- No. 83/2012 *European Confederation of Police (EUROCOP) v. Ireland (Violations of Article 5, Article 6§2, and Article 6§4)* - No. 112/2014 *European Organisation of Military Associations (EUROMIL) v. Ireland (Violation of Article 5 and Article 6§2)* - No. 180/2019 *Association of Secondary Teachers Ireland (ASTI) v. Ireland (Complaint concerns Article 5)*	- General Comment no. 23 on the right to just and favourable conditions of work, para.31	
Equal Opportunity and Treatment	- Article 15 (2) – *The right of persons with disabilities to independence, social integration, and participation in the life of the community* - Article 19 (4)(a), (7) – *The right of migrant workers and their families to protection and assistance* - Article 20 (a)-(d) – *The right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex* - Article 24 (a)-(b) – *The right to protection in cases of termination of employment* - Article 26 (1)-(2) – *The right to dignity at work* - Article 27 (1)-(3) – *The right of workers with family responsibilities to equal opportunities and equal treatment* - No. 132/2016 *University Women of Europe (UWE) v. Ireland (Violation of Article 20)*	- Article 7.1 (c) - *the right of everyone to the enjoyment of just and favourable conditions of work – equal opportunity for promotion* - General Comment no. 18 on the right to work, paras.31, 48 - General Comment no. 23 on the right to just and favourable conditions of work, paras.31-33	- CEDAW Article 11.1 (b), (c), (d) - CEDAW Article 11.2 (a) - CERD Article 5(e) (i) - CRPD Article 27.1 (a), (b), (e)
Health and Safety	- Article 2 (4) – *The right to just conditions of work* - Article 3 (1)-(4) – *The right to safe and healthy working conditions* - Article 19 (4)(a) – *The right of migrant workers and their families to protection and assistance*	- Article 7.1 (b) - *the right of everyone to the enjoyment of just and favourable conditions of work – safe and healthy working conditions* - General Comment no. 18 on the right to work, para. 12 - General Comment no. 23 on the right to just and favourable	- CEDAW Article 11.1 (f) - CEDAW Article 11.2 (d) - CERD Article 5(e) (i) - CRPD Article 27.1 (a), (b)

		conditions of work, paras.25-30	
Security and Stability	- Article 2 (1)-(3), (5)-(7) – *The right to just conditions of work* - Article 4 (4) – *The right to a fair remuneration* - Article 24 (a)-(b) – *The right to protection in cases of termination of employment*	- Article 7.1 (a)-(d) *- the right of everyone to the enjoyment of just and favourable conditions of work* - General Comment no. 18 on the right to work, para.10, 12 - General Comment no. 23 on the right to just and favourable conditions of work, para. 12	- CEDAW Article 11.1 (c) - CERD Article 5(e) (i) - CRPD Article 27.1 (b)

Source: Authors' analysis.

APPENDIX 2

Engagement Event (Consultation)

ENGAGEMENT EVENT TASK ONE

For the first task of the consultation the participants were split into groups to consider ten domains which are important to the measurement of decent work. As a group, they were asked to rate their top five domains in descending order, keeping in mind that the goal of the exercise was to focus on:

> *work that is productive and delivers a fair income, provides security in the workplace and social protection for workers and their families, and gives people the freedom to express their concerns, to organise and to participate in decisions that shape their lives.*

The preferences of the groups were aggregated and give a score which is presented in Table A2.1.

TABLE A2.1 TASK ONE RESULTS

Domain	Mean score	N times in top 5
Access to employment (e.g. employment/unemployment)	5.0	6
Adequate earnings (e.g. pay, minimum wage)	3.7	6
Occupational segregation (e.g. proportion in high-skilled jobs)	0.8	1
Working time/work-life balance (e.g. hours, flexibility)	0.2	0
Stability and security of work (temp job, job security)	3.2	6
Equal opportunity and treatment in employment (bullying, workplace discrimination)	1.7	6
Safe work environment/work that should be abolished (occupational injuries)	0.7	3
Employee voice (consultation, influence, union membership)	0.8	3
Intrinsic job quality (job control, job satisfaction)	0.2	1
Career development (job training, career prospects)	0.0	0

Notes: Results represent group preferences and do not include wider one-to-one consultations.

TASK TWO

In task two of the consultation 44 indicators from the ten domains were presented to the groups, who were tasked with choosing their top ten indicators from the list of 44. The preferences of the participants were aggregated and given a score; top scores are highlighted in bold in Table A2.2.

TABLE A2.2 TASK TWO RESULTS

Domain	Indicator	Count
Access to Employment	**Employment rate**	**3**
	Unemployment rate	2
	Labour force participation rate	**5**
	Not in employment, education, or training (NEET)	1
	Part-time work	0
Adequate Earnings	Hourly wage gap	1
	Low pay rates	**4**
	% on Minimum wage	2
	Percentage high paid/low paid wage decile	3
Occupational Segregation	Percentage in managerial/professional jobs	1
	Percentage in low-skilled jobs	1
	Occupational segregation (horizontal)	2
Working time/ Work-family balance	Mean weekly usual hours worked	1
	Long working hrs (48+)	1
	Unsocial hours (e.g. evening, night, weekend work)	0
	Working time: Is it possible for you to vary the start or end of your working day for care reasons?	0
	Flexible working time	1
	Per cent of employees who worked from home in past four weeks	0
	Work-family conflict (index)	1
Stability and security of work	**Temporary job**	**4**
	Extent of employment on zero hours contracts by occupation	1
	Perceived work security	**4**
Equal opportunity and treatment in employment	Bullying in the workplace	1
	Harassment in the workplace	0
	Unfair treatment in the workplace	**5**
	Unfair treatment seeking work	**5**

Contd.

TABLE A2.2 CONTINUED

Domain	Indicator	Count
Safe work environment/work that should be abolished	Occupational Fatalities	0
	Occupational injury rate, nonfatal	2
	Work-related illness rate	**4**
	Number of adults trafficked for exploitation	0
Employee Voice	Trade union or staff association membership	2
	Whether the worker is consulted about changes in the work organisation	0
	Whether the worker can influence decisions important for their work	1
Intrinsic job quality	Satisfaction with working conditions in present job	0
	Satisfaction with current job	1
	Work intensity	1
	Job control (control over tasks, timing, pace of work)	1
	Good workplace relationships	1
	Percentage of employed persons who feel they do useful work	1
Career development	Perceived career prospects from current job	1
	Volume of job-related non-formal education and training per participant in the last 12 months (in days)	0
	Percentage of employed persons whose job involves improving their skills	0
	Employees with recent job training (past year/past four weeks	0
	Overqualification – % of workers whose ISCED level is above 1 or more levels above mode for occupation	**3**

Source: Authors' analysis.
Notes: Results represent group preferences and do not include wider one-to-one consultations.

TABLE A2.3 LIST OF CONSULTATION PARTICIPANTS AND ORGANISATIONS

Name	Organisation
Anne Marie Doherty	Department of Employment Affairs & Social Protection
Brid O'Brien	Irish National Organisation of the Unemployed
Caitríona MacAonghusa	Business in the Community Ireland
Caoimhe Ruigrok BL	Employment Bar Association
Caroline Murphy	University of Limerick
Ciaran Nugent	Nevin Economic Research Institute
David Joyce	ICTU
Damien Walsh	Independent Living Movement Ireland
Dr Dermot Peter Coates	Department of Employment Affairs and Social Protection
Edel McGinley	Migrant Rights Centre Ireland
Emma Davey	Employment Bar Association
Gail Irvine	Carnegie UK
Irene Byrne	European Anti-Poverty Network
Jean Cushen	Maynooth University
Jim Dalton	CSO
Joe Whelan	School of Applied Social Studies, University College Cork
Jorge Cabrita	Eurofound
Maria Hennessy	UNHCR
Marion Wilkinson	National Disability Authority
Michael Taft	SIPTU
Nuala Whelan	Maynooth University
Pauline Conroy	Researcher
Peter Dorman	Community Action Network
Philip O'Connell	Geary Institute
Shana Cohen	TASC
Sinead Keenan	Early Childhood Ireland
Deirdre O'Connor	INTO
Joe Saunders	Irish Local Development Network
Judy Walsh	University College Dublin
	Department of Business, Enterprise, and Innovation/International Labour Organisation
	IBEC
	Health and Safety Authority
	Pavee Point
	Steering Committee of the National Platform of Self Advocates

Notes: All individuals listed consented to being credited. Where participants did not consent to having their name listed, their organisation is listed but not the name.

APPENDIX 3

Group percentages in the main survey datasets used

TABLE A3.1 BREAKDOWN OF GROUP PERCENTAGES IN THE LFS, LFS ACCIDENT AND ILLNESS MODULES, SILC, AND EWCS (EMPLOYED AGED 18-64)

		LFS 2019		LFS Accident and Illness 2017-2018		SILC 2017-2018 *		EWCS 2015	
		%	N	%	N	%	N	%	N
Gender	Male	54	31,912	54	17,570	53	4,250	52	515
	Female	46	28,933	46	15,530	47	3,865	47	471
Age	18-24	11	6,192	11	3,305	9	631	7	73
	25-44	51	27,647	52	16,173	46	3,704	47	463
	45-64	38	27,006	37	13,622	45	3,780	46	451
Country of Birth	Ireland	74	48,353	84	29,257	-	-	81	801
	Outside Ireland (total)	26	12,432	16	3,843	-	-	19	186
	UK	6	3,434	2	593	-	-	-	-
	Other	8	3,814	13	3,250	-	-	-	-
	EU15	3	1,264	-	-	-	-	-	-
	EU15/EU28	8	3,920	-	-	-	-	-	-
Marital Status	Single	41	22,766	41	12,697	36	2,640	-	-
	Married	54	34,877	54	18,550	58	4,971	-	-
	Sep/Div	5	3,202	5	1,853	6	501	-	-
Disabilities	No Disability	92	12,907	97	18,129	94	7,560	85	833
	Disability	8	1,122	3	605	6	555	15	151
Education	Does not hold tertiary	50	30,079	50	41,234	-	-	66	652
	Holds Tertiary Degree	50	29,283	50	20,706	-	-	34	331
	Primary	-	-	-	-	3	263	-	-
	Secondary	-		-	-	30	2,429	-	-
	Post-secondary & tertiary	-	-	-	-	58	5,362	-	-

Contd.

TABLE A3.1 CONTINUED

		LFS 2019		LFS Accident and Illness 2017-2018		SILC 2017-2018 *		EWCS 2015	
		%	N	%	N	%	N	%	N
Household Type	Couple, no children	17	10,266	-	-	22	1,677	23	224
	Couple with children	45	28,753	-	-	26	2,308	31	306
	Lone parent	6	3,612	-	-	3	174	4	43
	Living with parents	16	9,557	-	-	-	-	4	37
	Living alone	16	8,657	-	-	8	639	13	132
	3 or more adults	-		-	-	27	2,115	-	-
	Other	-	-	-	-	15	1,202	25	245

Sources: LFS Q1-Q4 (2019), LFS Accident and Illness modules (2017-2018 combined), SILC (2017-2018 combined) and EWCS (2015). Authors' calculations based on a sample of ILO employed of working age (18-64).

Notes: Percentages are weighted; N of cases are unweighted. *Country of Birth was not measured in SILC, instead nationality was analysed: 86 per cent (7,102) of respondents were Irish, 5 per cent (313) were from the UK or Western European countries, 7 per cent (489) were from Western Europe and 2 per cent (180) were from non-EU countries. Definitions of disability differ across the surveys (see Chapter 2 for discussion).

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