

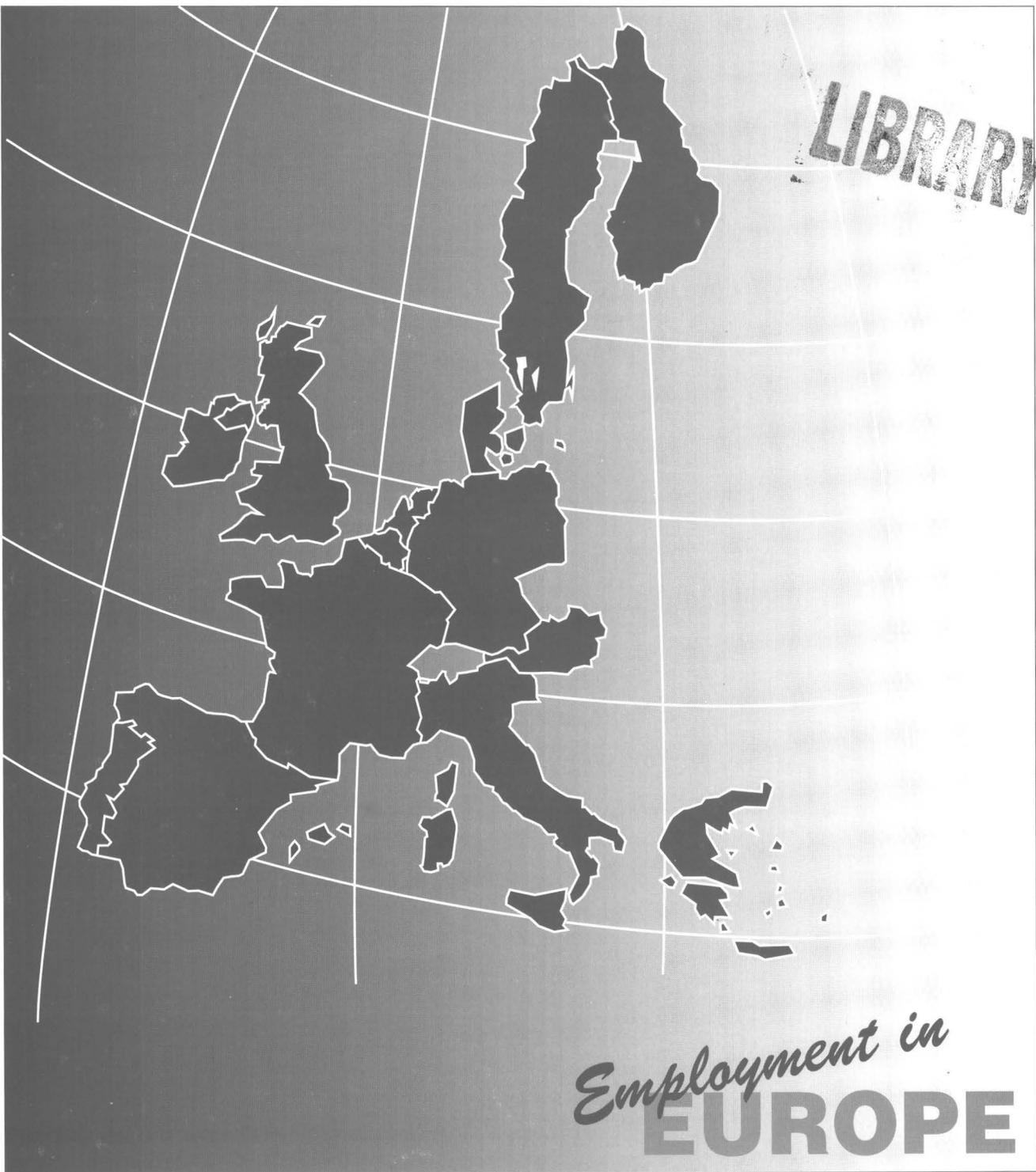
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EMPLOYMENT OBSERVATORY

Basic Information Report

on employment policies in Europe.
Series produced by the MISEP network.

Ireland



CEE: V/96


 EUROPEAN COMMISSION
 DIRECTORATE-GENERAL FOR EMPLOYMENT
 INDUSTRIAL RELATIONS
 AND SOCIAL AFFAIRS

Social Europe
DGV

MISEP

**Mutual Information System
on Employment Policies (MISEP)**

Basic Information Report

IRELAND

Institutions, Procedures and Measures

1996

European Commission

CEE:V/96

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On the basis of an agreement of the directors-general for employment, the European Commission created a Mutual Information System on Employment Policies (MISEP) in 1982.

The system operates with a network of correspondents from the departments responsible for employment policy in the Member States or from employment services. The centralised secretariat is fully accountable to the Commission.

MISEP was set up by the Commission in response to a need voiced by the delegations of the Member States in the Council for a mutual information exchange on developments in national employment policy measures and structures. The definition of MISEP's objective is to gather, synthesise, translate and disseminate relevant information in the Member States, serving each of the responsible national ministries and agencies in their daily decision-making, and aiding the Commission in its co-ordinating role at Community level.

The Basic Information Reports describe the structure and content of employment policy in each Member State. The reports all have a common structure and contain basic information which is essential for an understanding of how employment policies are conceived and implemented.

The material in this Basic Information Report has been provided by the Irish correspondent and is correct as of 1 July 1996. It is intended as a guide and an explanation of national policy measures in force at that date in Ireland; it is not a substitute for the corresponding legal texts. It is designed to describe the policies and practices in Ireland without value judgements either on the part of the Commission or the national correspondent.

While these reports will be updated periodically, further information and regular updating of measures are published in the system's quarterly policy bulletin, "inforMISEP Policies".

This document was produced on behalf of the European Commission by the I.A.S in close collaboration with the Irish Department of Enterprise and Employment.

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BENCHMARK STATISTICS 1995

THE LAND	
Area	84,405 sq. km
THE PEOPLE	
Resident Population (1991)	3,549,100 ¹
PRODUCTION	
Gross Domestic Product	£ 38,616 million ²
LABOUR MARKET	
Working age population (15-64 years)	2,289,000
Of which:	
- women (15-64 years)	1,141,400
- men (15-64 years)	1,147,600
Labour force (15-64 years)	1,423,500
- Of which women	502,700
Activity rate	52.7 %
- For women	36.5 %
- For men	69.5 %
Employment	1,233,600
Of which:	
- women	454,800
- under 25 years	212,300
By Sector:	
- agriculture	140,000
- industry	343,000
- services	751,000
Total	1,234,000
Unemployment	190,000
Of which:	
- women	47,900
- under 25 years	56,400
Unemployment rate by education	
- primary education	19%
- lower secondary education	17%
- higher secondary education	9%
- third level	5%
Total	14%
Registered Unemployment April 1995	286,400

1 All figures from 1995 Labour Force Survey (CSO Dublin), except where otherwise stated.

2 CSO - June 1996.

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CHAPTER I INSTITUTIONS

1. Department of Enterprise and Employment

1.1 Introduction

The Department of Enterprise and Employment, which was set up in 1993, replaces the Department of Labour and parts of the Department of Industry and Commerce. Its brief, according to the "Fianna Fail and Labour Programme for a Partnership Government", in which the decision to establish the Department was announced, was to take responsibility for all the action aspects of industrial policy, including planning, the development of new plans for indigenous industry, and for the implementation and co-ordination of labour market measures including training. The regulatory aspects of business and industry, and responsibility and protective legislation were also vested in the Department. In addition, it was charged with the promotion of consensus in industry at a national level and on the shop floor, and with the development of competition in every sector of enterprise, and with consumers rights.

1.2 Legal status

The Department of Enterprise and Employment is one of the Departments of State as provided for under the Constitution. Its aims in relation to employment are to promote self-sustaining employment, to improve and upgrade the motivation, qualifications and flexibility of the labour force, and to ensure that markets for goods, services and labour facilitate and contribute to social, economic and technological progress through the development of appropriate policies and programmes covering the areas outlined below (cf. Chapter I, 2.).

1.3 Decision-making bodies and decision-making procedures

The Minister for Enterprise and Employment is the head of the Department and has overall responsibility for all the functions of the Department, which include manpower policy, conditions of employment (both from the social and safety point of view) and industrial relations.

Manpower policy

The objectives of manpower policy are:

- (i) to take an overall view of the labour market and to ensure its efficient operation;
- (ii) to improve the employment opportunities of groups with special labour market problems.

The Department of Enterprise and Employment is responsible for the formulation of manpower policy while FAS and CERT (cf. Chapter I, 2. and 3.) are responsible for the delivery of the various manpower services, within the agreed policy framework. (CERT is now under the auspices of the Department of Tourism and Trade.)

Conditions of employment

The objective of this area is to promote safety, health and welfare of workers and to encourage and influence improvements in conditions of employment and in the work environment generally. A wide range of regulations in the area of worker protection falls within the responsibility of the Department of Enterprise and Employment. The measures cover the terms of employment (including holiday pay, terms of employment, procedure for dismissal, etc.) of the vast majority of the workforce. In addition, legislation exists which covers standards of occupational safety, health and welfare. Measures dealing with equality of treatment of workers applying for, and in employment are also within the competence of the Department of Enterprise and Employment.

One section of the Department deals solely with the formulation of new legislation in the employment field.

Industrial relations

The Department of Enterprise and Employment is the main Government Department responsible for Industrial Relations. In addition to administering industrial relations and trade union law, any new policies in regard to the industrial relations field are formulated in the Department.

A Monitoring Unit in the Department monitors developments in industrial dispute situations.

The Department of Enterprise and Employment provides for the staffing requirements of the Labour Court and the Labour Relations Commission, which are the main industrial relations fora in the country.

1.4 Diagram of the organisation

(cf. page 3)

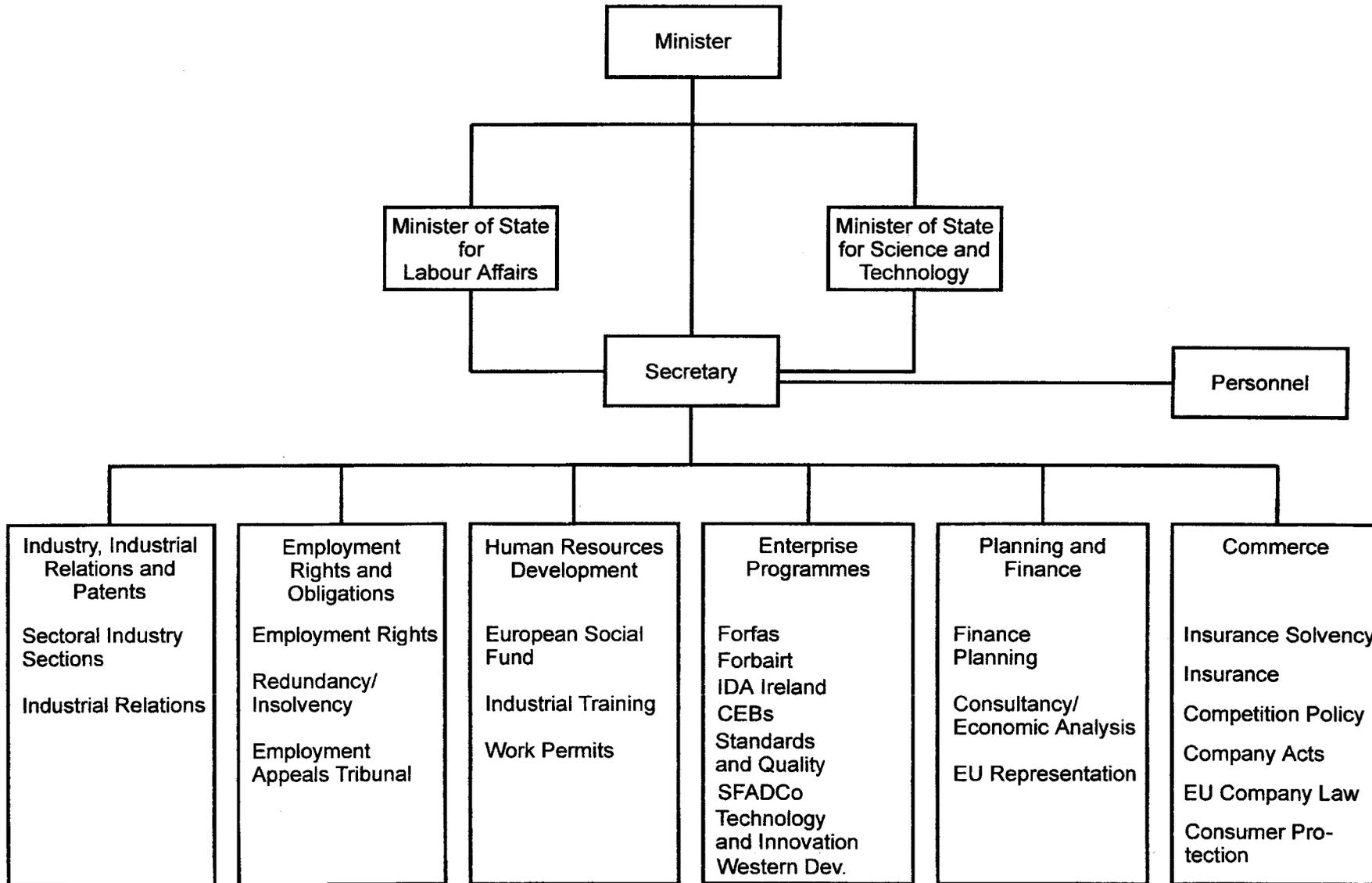
1.5 Personnel

The Department of Enterprise and Employment currently employs 830 persons. These are distributed between Manpower Division, the area of Conditions of Employment (including Safety and Health, Redundancy, Insolvency and the Employment Appeals Tribunal) and the Industrial Relations area (including the Labour Court and New Legislation Section), the Enterprise and Commerce divisions and in support areas such as Personnel, Planning, Finance, Organisation and Computer Systems Support.

1.6 Budget

Overall expenditure in 1994 was £372.58m (provisional out-turn). This includes the cost of Exchequer funding to bodies funded by the Department.

Department of Enterprise and Employment



1.7 Co-operation and co-ordination with other bodies

The Department maintains contact with many bodies as indicated below. Others with which it co-operates include the Irish Business and Employers Confederation (IBEC) and youth voluntary organisations. Among Government bodies, close links are maintained with the Department of Education, the Department of Finance, and the Department of Social Welfare.

1.8 International contacts

The Department of Enterprise and Employment is involved in the formulation of social and employment policy measures in the European Community and formulates and transmits to the European Commission all Irish applications for assistance and claims for payment from the European Social Fund. The Department also engages in the promotion of employment standards set by the International Labour Organisation as well as in the work of the Council of Europe mainly in connection with the European Social Charter which guarantees social and economic rights.

In the area of the OECD the Department participates actively in the work of the Manpower and Social Affairs Committee of the OECD and its Working Parties dealing with Employment and Industrial Relations. The Department also acts for Ireland in the OECD Co-operative Action Programme on local Initiatives for Employment Creation.

Bodies associated with the Department of Enterprise and Employment

Bodies associated for staffing and finance	State sponsored bodies	Bodies associated for finance
<ul style="list-style-type: none"> - Labour Court - Employer Labour Conference - Rights Commissioner Service - Labour Relations Commission - Employment Appeals Tribunal - Levy Appeals Tribunal - National Industrial Safety Org. - Patents Office - Companies Registration Office - Registrar of Friendly Societies - Office of the Director of Consumer Affairs - Competition Authority 	<ul style="list-style-type: none"> - FAS - Forfas/Forbairt/IDA Ireland - SFADCo - County Enterprise Boards (CEBs) - Irish Steel - NET - Crafts Council of Ireland - Irish Productivity Centre - National Standards Authority 	<ul style="list-style-type: none"> - Irish Congress of Trade Unions - Irish Management Institute - College of Industrial Relations - * Eureka - European Space Agency

Note: For Definition of acronyms, etc.: cf. abbreviations.

2. An Foras Aiseanna Saothair (FAS) – The Training and Employment Authority

2.1 Legal status and functions

FAS – the Training and Employment Authority which replaced AnCO (the Industrial Training Authority), the National Manpower Service and the Youth Employment Agency was established on 1st January, 1988 under the Labour Services Act, 1987. Its functions are broadly those which were carried out by the three former manpower bodies. They are as follows:

- provision of training and retraining;
- provision of employment schemes;
- provision of a placement service;
- assisting local community groups and co-operatives in providing employment;
- development of its activities overseas.

2.2 Decision-making bodies and decision-making procedures

FAS operates under the direction of a Board made up of a Chairman and 16 other members representative of employers' organisations, trade unions, youth organisations, Government and FAS employees. The Chairman and other members are appointed by the competent Minister (since February, 1993, the Minister for Enterprise and Employment, prior to that the Minister for Labour). The Board has a five-year term of office. The day-to-day operations of FAS are under the control of the Director General.

FAS is required to submit annually to the Minister for Enterprise and Employment a report of its activities for the previous year. In addition, it is required to furnish for approval by the Minister a report outlining its programme of work, including expenditure estimates, for the coming year.

2.3 Diagram of the organisation

(cf. page 7)

2.4 Personnel

FAS has a staffing complement of approximately 2,070.

2.5 Budget

FAS is funded through monies voted by the Dail to the Department of Enterprise and Employment (including receipts from the Employment and Training Levy) along with grants from the European Social Fund. Its total budget for 1994, the latest year for which data is available, was £350.4m approximately.

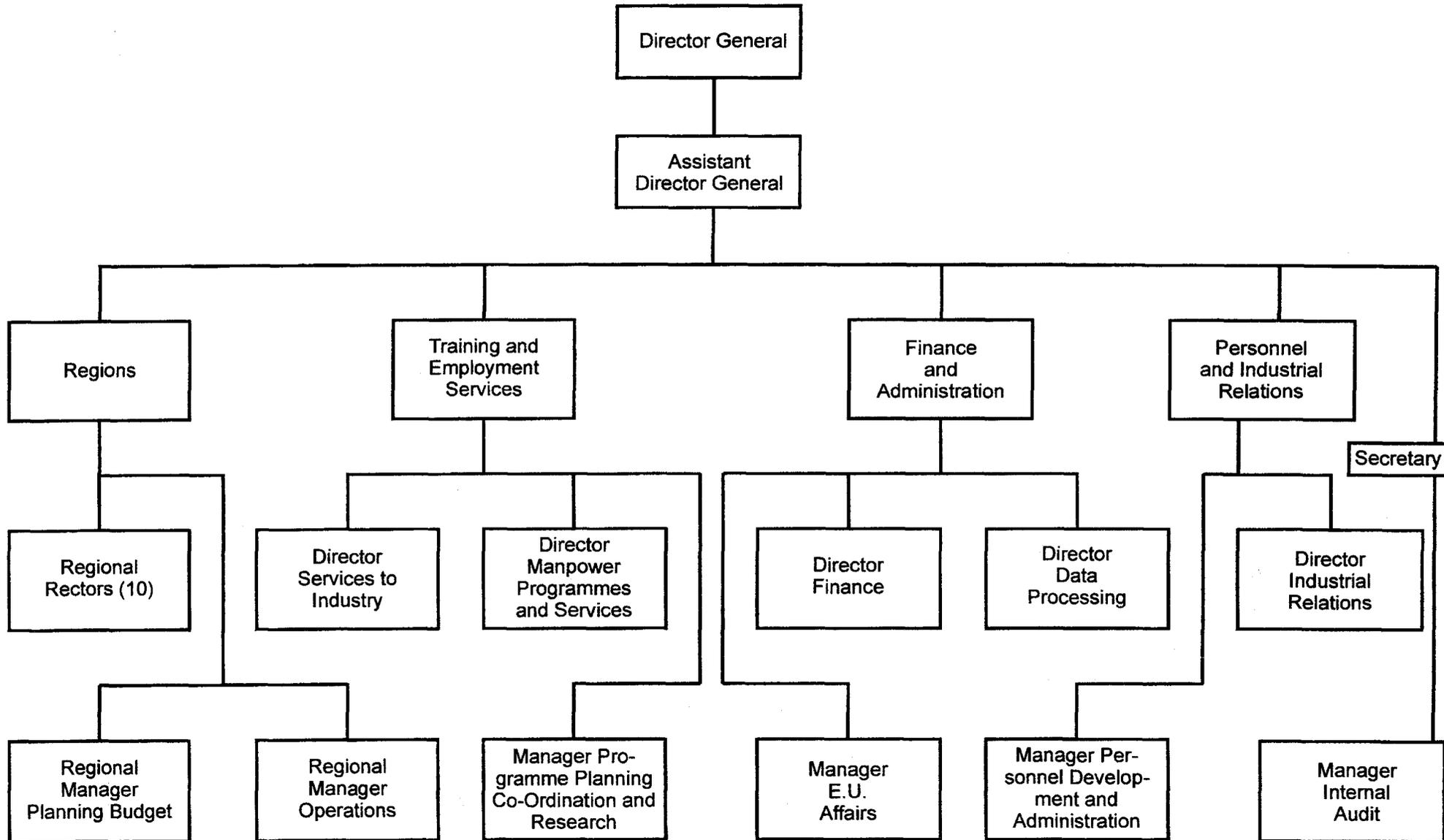
2.6 Co-operation and co-ordination with other bodies

FAS maintains close contact with the major interest organisations e.g., the Irish Business and Employers Confederation (IBEC) and the Irish Congress of Trade Unions (ICTU). There is also close co-operation with other Government bodies e.g. the Industrial Development Authority, the Department of Education and various educational agencies (vocational education schools, regional technical colleges) and regional development organisations.

2.7 International contacts

FAS has direct representation on various committees and working groups of the European Community, e.g. the Directors of Employment Group and the European Centre for the Development of Vocational Training (CEDEFOP). It also participates in the activities of other international organisations such as the OECD.

**An Foras Aiseanna Saothair (FAS)
- The Training and Employment Authority -**



3. CERT – The State Tourism Training Agency

3.1 Legal status

CERT Limited is a company limited by guarantee and without share capital. Overall control is vested in the Minister for Tourism and Trade through its Memorandum and Articles of Association.

CERT is the Irish State tourism training agency and has responsibility for the education, recruitment and training of new entrants to the industry, mainly young school leavers and unemployed persons, as well as the provision of training and other services aimed at raising the skill levels of persons already working at management, supervisory and operative levels in Tourism.

3.2 Decision-making bodies and decision-making procedures

CERT is governed by a Council the members of which are also the Directors of the Company. The members are appointed by the Minister for Tourism and Trade and the Council currently has nineteen members representative of the following:

- Bord Failte;
- Department of Education;
- Department of Enterprise and Employment;
- Irish Hotels Federation;
- Licensed Vintners Association;
- Minister for Enterprise and Employment;
- Restaurant Association of Ireland;
- SIPTU (Trade Union);
- Vintners Federation of Ireland.

3.3 Diagram of the organisation

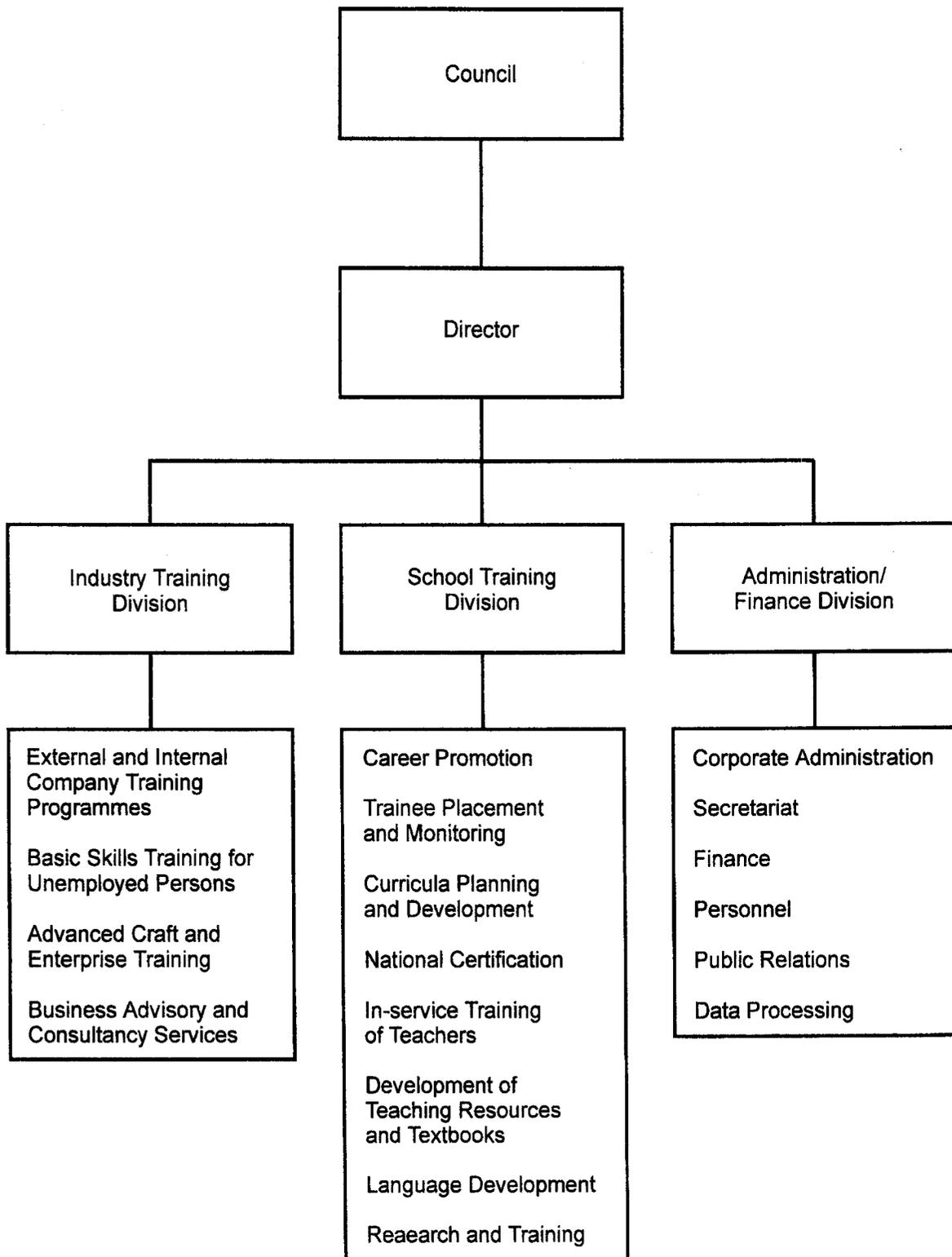
(cf. page 9)

3.4 Personnel

The number of personnel employed by CERT at 31 December 1994 was:

Industry Training Division	47
School Training Division	29
Administration/Finance Division	25
Sub-total	101
Temporary Training Centre Staff	33
Total	134

CERT – The State Tourism Training Agency (as at 31 December 1993)



3.5 Budget

CERT's main sources of revenue are the Exchequer (Department of Tourism and Trade) and EU Structural Funds. The balance of CERT's funds, approximately 10%, are obtained from training course fees, an industry contribution and sundry sources. CERT's revenue expenditure budget for 1994 was £11.0m. Capital expenditure on a new centralised training centre and headquarters in Dublin amounted to a total of £4.8m in 1991 and 1992 which was funded by the Exchequer, EU Structural Funds and CERT's own resources.

3.6 Co-operation and co-ordination with other bodies

The representative nature of CERT's Council and the agency's co-operative and consultative relationship with the Social Partners, Government Departments of Education and Tourism and Trade, State Bodies such as Bord Failte, FAS and Teagasc and with representative organisations ensure that its activities and allocation of resources are appropriate to the development and skills needs of Tourism. Aside from its relationship with domestic organisations, CERT works closely with appropriate bodies in other Member States, the EU, in North America and in Switzerland in order to keep abreast of developments in the Tourism product internationally and advances in training methodologies.

CHAPTER II LEGAL FRAMEWORK AND PROCEDURES

1. Legal Instruments

1.1 Nature of legal system governing work and employment

1.1.1 The Constitution

The Constitution establishes general principles to which all other types of law must conform. The most important constitutional guarantees in relation to labour law and industrial relations are the following:

- (a) All citizens shall, as human persons, be held equal before the law.
- (b) The State guarantees in its laws to respect and, as far as practicable, by its laws to defend and vindicate the personal rights of the citizen.
- (c) The State guarantees the rights of citizens to form associations and unions subject to public order and morality. Laws, however, may be enacted for the regulation and control in the public interest of the exercise of the foregoing right.

1.1.2 Contract of employment

In Ireland the contract of employment constitutes the main basis of the employment relationship. Anyone who works for an employer for a regular wage or salary has automatically a contract of employment. Although the contract need not be in written form, the Terms of Employment (Information) Act, 1994 enables an employee to require his employer to provide him with a written statement of the terms of employment. The written statement is not the contract but is evidence of the main terms of employment between the parties. The Act also provides that any changes in the particulars contained in the written statement must be notified to the employee within one month of such change taking effect.

1.1.3 Labour Law

Labour Law, and in particular that dealing with the protection of workers, developed for the most part outside the framework of the contract of employment until well into this century. Only comparatively recently did legislation begin to confer on workers contractual rights which could not be set aside. Since the early 1970s a considerable number of enactments have been introduced and legislation is now an increasingly important source of labour law. Today the bulk of Irish collective labour law comprises legislation and case law. However, legislation does not always apply to all workers: self-employed persons and state employees are frequently excluded. Other sources of labour law are:

1.1.4 Collective agreements

They are the most important rules governing labour relations outside the formal system of the law. There is very little legal regulation of collective agreements and, although they are statutorily defined for certain purposes, there is no general legislation dealing with the nature of such agreements. The only significant exceptions are agreements registered with the Labour Court which are legally binding (are below). The generally accepted view by successive governments and by both sides of industry is that statute should not interfere in any area which is better regulated by collective bargaining. Even where statute intervenes, rights thereby accorded are frequently regarded by trade unions as a floor to be improved upon in collective bargaining.

1.1.5 Common Law

Common Law is an important source of labour law although, due to the increase in legislation in the last twenty years the number of cases coming before the ordinary courts involving labour matters has decreased sharply.

1.1.6 Custom and practice

Custom and practice consists of informal arrangements and understandings which are recognised as conferring legal rights in certain circumstances.

1.1.7 European Community Primary and Secondary Legislation

Both kinds of Community laws are a major source of labour law. They are binding on national governments and take precedence over national law.

1.2 Labour legislation

The most important labour legislation concerns the duties imposed on employers in relation to the termination of employment through the Minimum Notice and Terms of Employment Act (1973), the Unfair Dismissals Acts (1977 and 1993) and the Redundancy Payments Acts (1967-91) which provide security for workers in their jobs. These and other main items of legislation governing conditions of employment, pay, safety at work, employment equality and industrial relations are outlined below:

1.2.1 Conditions of employment

Minimum Notice and Terms of Employment Act, 1973 and Terms of Employment (Information) Act, 1994

In addition to giving employees the right to have a written statement of the terms of their employment (outlined above), the Act lays down minimum periods of notice to be given by both employers and employees when terminating a contract of employment.

Unfair Dismissals Acts, 1977 and 1993

These Acts provide protection to employees from being unfairly dismissed from their jobs by laying down criteria by which dismissals are judged to be unfair and by providing an adjudication system and redress for an employee whose dismissal has been found to be unjustified.

Redundancy Payments Acts, 1967-91

These Acts impose obligations on employers to pay compensation to workers dismissed for reasons of redundancy. The Employment Appeals Tribunal was established under these Acts.

Protection of Employees (Employers' Insolvency) Acts, 1984-91

These Acts, which implement the EU Insolvency Directive, protect certain outstanding entitlements relating to the pay of employees in the event of the insolvency of their employer. The scope of the Redundancy Fund – now known as the Social Insurance Fund – was extended to enable it cover the payment of these entitlements.

Holidays (Employees) Acts, 1973 and 1991

These Acts guarantee an employee's statutory entitlement in respect of annual and public holidays.

Maternity (Protection of Employees) Acts, 1981 and 1991

These Acts provide a statutory scheme of paid maternity leave for women in employment and the right to return to work after such leave.

Conditions of Employment Act, 1936 and the Shops (Conditions of Employment) Act, 1938

The 1936 Act regulates the working hours and conditions of workers on "day work" (i.e. those not on shifts) and also governs the conditions under which shift work may be carried on. The 1938 Act regulates the working hours and conditions of shop and hotel workers.

Worker Protection (Regular Part-Time Employees) Act, 1991

This Act extends to regular part-time employees the benefits of the legislation relating to minimum notice, unfair dismissals, redundancy payments, employer's insolvency, holidays, adoptive leave, maternity leave and worker participation. Regular part-time employees are defined as those who work with the same employer for not less than 13 weeks, are normally expected to work not less than eight hours per week and who, but for the Act, would be excluded from the benefits of the legislation amended by the Act.

Protection of Employment Act

Protection of Young Persons (Employment) Act, 1977 and regulations on the transfer of undertakings.

1.2.2 Payment of wages

Payment of Wages Act, 1991

This Act repealed the Truck Acts which date back to 1743 and introduced arrangements to encourage and facilitate the more widespread payment of wages by means other than cash throughout the workforce. The Act, for the first time confers on all employees a range of rights relating to payment of wages. It provides the right to a readily negotiable mode of wage payment, the right to a written statement of wages and deductions and protection against unlawful deductions.

1.2.3 Safety at work

Safety, Health and Welfare (Offshore Installations) Act, 1987

This Act contains provisions for protecting the safety, health and welfare of workers on rights relating to payment of wages. It provides the right to a readily negotiable mode of wage payment, the right to a written statement of wages and deductions and protection.

Safety in Industry Acts, 1955 and 1980

These Acts set out requirements for ensuring safety, health and welfare of persons employed in factories, construction work, docks and in certain other premises.

Dangerous Substances Acts, 1972 and 1979

These Acts provide for the protection of persons and property against the hazards associated with the storage, labelling, packing, conveyance, loading and unloading of petrol and other dangerous substances.

Mines and Quarries Act, 1965

This Act contains provisions for protecting the lives, health and welfare of workers in mines and quarries.

Offices Premises Act, 1958

This Act provides for the health, welfare and safety of persons employed in offices.

Safety, Health and Welfare at Work Act, 1989

This Act applies to all employers, employees and the self-employed engaged in any type of work activity. It sets out general duties of care on each of these parties in relation to themselves and others who may be affected by risks arising from work activities (including non-employees and the general public). The general duties imposed by the Act will be gradually implemented by regulations and codes of practice leading to progressive replacement of previous legislation. The Na-

tional Authority for Occupational Safety and Health was set up under this Act with responsibility for advice and guidance on enforcement of the Act.

1.2.4 Employment equality

Anti-Discrimination (Pay) Act, 1974

The purpose of this Act is to ensure that men and women receive equal treatment with regard to pay.

Employment Equality Act, 1977

This Act makes it unlawful to discriminate directly or indirectly on grounds of sex or marital status in relation to recruitment for Employment, conditions of Employment, training and promotion. The Employment Equality Agency was set up under this Act (cf. 2.5 below).

1.2.5 Industrial relations

Trade Union Acts 1871 to 1990 (including Industrial Relations Act, 1990).

These Acts provide the framework within which trade unions may function and operate.

Industrial Relations Acts, 1946, 1969, 1976 and 1990

These Acts provide the framework for industrial relations. The Act of 1946 established the Labour Court and defined its functions (cf. 2.2 below). The Labour Relations Commission was established under the Act of 1990, (cf. 2.2 below).

2. Labour Market Institutions and Processes

2.1 Collective bargaining

Free collective bargaining is the principle on which industrial relations in Ireland are based – the role of the law is always secondary and auxiliary in this regard. The basic approach of Irish Law to industrial relations is one of voluntarism, whereby the law will not seek to impose a solution on the parties, but will, where appropriate, assist them in arriving at such a solution. Collective bargaining relies critically, therefore, on the willingness of both parties to involve themselves in dialogue with a view to the conclusion of collective agreements governing pay and conditions of employment.

2.2 Negotiation patterns and dispute-settling agencies

Matters relating to the employment or non-employment, the terms of employment or to the conditions of employment of any person may be the subject of negotiations between employers and workers or trade unions acting on their behalf. The vast majority of industrial disputes are settled by such negotiations. In the event of failure to reach agreement disputes may be referred to the Labour Relations Commission for conciliation. (The Commission, which was set up in 1991, was given responsibility for the conciliation service, previously provided by the Labour Court). Disputes which are not resolved at the Labour Relations Commission may be referred to the Labour Court for investigation. The Court issues recommendations in disputes, which are generally not legally binding.

Rights Commissioners, who function as an independent service of the Labour Relations Commission, assist in the resolution of disputes mainly involving individual workers. Commissioners issue non-binding recommendations, which may be appealed to the Labour Court. The Court's decision on the appeal is binding.

Statutory minimum rates of pay and other conditions of employment for certain categories of workers are contained in Employment Regulation Orders made by the Labour Court on the basis of proposals made by Joint Labour Committees. A Joint Labour Committee comprises equal numbers of representatives of workers and employers in a particular industry and an independent chairperson appointed by the Minister for Enterprise and Employment. The 16 JLCs in existence at present cover about 80,000 workers or roughly 9% of all employees.

There are 14 Joint Industrial Councils representative of workers of a particular class, type or group and their employers which have as their object the promotion of harmonious industrial relations between such employers and such workers. Three of the Councils are registered with the Labour Court and eleven are unregistered. The rules of a registered JIC must provide for the referral of disputes to the Council for consideration before resort is had to industrial action.

The Labour Court may register employment agreements relating to the pay or conditions of employment of any class, type or group of workers. The effect of registration is to make the provisions of a registered employment agreement binding not only on the trade unions and employers involved in its negotiation but on others who were not parties to its negotiation but who are in the employment categories covered by the agreement. There are 43 Employment Agreements currently registered with the Labour Court though the substantive provisions of many of these have not been revised for some time and are consequently out of date.

Under the Anti-Discrimination (Pay) Act, 1974 and the Employment Equality Act, 1977, Equality Officers of the Labour Relations Commission investigate and make recommendations in relation to claims concerning discrimination in pay and/or employment. Their recommendations may be appealed to the Labour Court.

2.3 The Employment Appeals Tribunal

The Employment Appeals Tribunal was originally set up under the Redundancy Payments Act of 1967 to adjudicate in disputes arising under that Act. Since then the jurisdiction of the Tribunal has been extended to the adjudication of disputes arising under seven other Acts. The Acts now

covered are Redundancy Payments, Minimum Notice and Terms of Employment, Unfair Dismissal, Protection of Employees (Employers' Insolvency), Worker Protection (Regular Part-Time Employees), Payment of Wages, Terms of Employment (Information) and Maternity Protection.

The Tribunal consists of a Chairman and 13 Vice-Chairmen (all with legal qualifications), and two separate panels of 20 Members. One panel is nominated for appointment by the Irish Congress of Trade Unions, and the other panel by organisations representative of employers. All the appointments are made by the Minister for Enterprise and Employment for specific three year periods. The Tribunal operates in Divisions. Each Division consists of the Chairman or a Vice-Chairman and one Member from each of the two panels. Any number of Divisions can sit at the same time.

2.4 Rights Commissioners

Rights Commissioners also investigate cases under the Unfair Dismissals Act, 1977, the Maternity Protection of Employees Act, 1981, the Payment of Wages Act, 1991 and the Terms of Employment (Information) Act, 1994. Commissioners issue non-binding recommendations under the 1977, 1981 and 1994 Acts, which may be appealed by either side to the Employment Appeals Tribunal. They issue binding decisions under the 1991 Act, which may also be appealed to the EAT.

2.5 Employment Equality Agency

The Employment Equality Agency was established under the Employment Equality Act, 1977. Its main functions are to:

- work towards the elimination of discrimination in employment;
- promote equality of opportunity in employment between men and women; and
- keep under review the operation of the Anti-Discrimination (Pay) Act, 1974 and the Employment Equality Act, 1977 and, where necessary, to make proposals for amending either or both of those Acts.

2.6 Trade unions

Trade unions must, with certain limited exceptions, be licensed under the Trade Union Acts, 1871-1990, in order lawfully to carry on negotiations for the fixing of wages or other conditions of employment. To obtain a licence unions must fulfil certain legal requirements regarding minimum membership amongst other things. Licensed unions enjoy the full range of immunities conferred by the Industrial Relations Act, 1990 (previously by the Trade Disputes Act, 1906) in regard to protection from civil actions for torts arising from industrial action, including peaceful picketing.

At the end of 1993 there were 59 trade unions in the Republic of Ireland with total membership of just over 488,000. Of these 50 unions, representing approximately 481,000 members or 99% of total trade union membership, were affiliated to the Irish Congress of Trade Unions. Trade union density was in the region of 47% of the employee workforce.

The five largest unions represented 60% of total trade union membership and the 12 unions with excess of 10,000 members accounted for over 80% of the total membership. On the other hand, 38 unions with less than 3,000 members accounted for just 8% of total membership.

In 1993 there were 11 British-based unions operating in the State, accounting for 14% of total trade union membership. Unions with headquarters in Great Britain are required by the Trade Union Act, 1975, to devolve certain functions upon their Irish membership.

2.7 Employer associations

Employer associations which engage in negotiations on pay or conditions of employment must in general hold negotiation licences like trade unions. There were 11 licensed employer associations with a total of over 9,000 members at the end of 1993. The largest of these, the Irish Business and Employers Confederation (IBEC), had a membership of almost 3,300 drawn nationally from a broad range of activities in industry and services. (IBEC was established in 1993 as a result of a merger between the Federation of Irish Employers and the Confederation of Irish Industry). The Construction Industry Federation, the employers association for the construction industry, with 2,000 members in 1993 is the second largest employer association in Ireland.

2.8 Worker participation

Legislation concerning worker participation in Ireland applies to State employees only. Under the Worker Participation (State Enterprises) Act, 1977, worker directors are elected by and from the particular workforce to the boards of seven commercial semi-state bodies. The Worker Participation (State Enterprises) Act, 1988, extended these arrangements to a number of additional State enterprises and also provided for the introduction of sub-board participative arrangements in a broad range of State enterprises by agreement between the enterprise and employee interests. The Worker Protection (Regular Part-Time Employee) Act, 1991 extended to regular part-time employees in the designated State enterprises rights and entitlements set out in the Worker Participation (State Enterprises) Acts, 1977 and 1988.

There is no legislation covering the private sector where a voluntary approach is adopted in relation to employee involvement. The FIE/ICTU Joint Declaration on Employee Involvement in the Private Sector launched in 1991 by the Federation of Irish Employers (now called the Irish Business and Employers Confederation) and the Irish Congress of Trade Union, provides a framework within which employee involvement can be encouraged and developed on a voluntary basis in the private sector. No strict form of participation is prescribed and organisations are given full scope to develop arrangements which best suit their circumstances.

3. Social Security Benefits

3.1 Introduction

The Department of Social Welfare is responsible for the administration of the Irish social security system. This system provides income-maintenance schemes in respect of all the recognised branches of social security. These schemes are in two broad categories viz. insurance-based schemes and assistance or means-tested schemes.

For unemployed people schemes in both of these categories are provided:

- Unemployment Benefit is insurance-based;
- Unemployment Assistance is means-tested.

The unemployment schemes are administered directly by the Department of Social Welfare. Policy is centralised in the Department's Headquarters in Dublin with decision-making being administered in the local Social Welfare Local Offices, which are grouped into 10 regions. Claims and payments are administered through the Department's Social Welfare Local Offices throughout the country. Means-tests for Unemployment Assistance are carried out locally by Social Welfare Investigators who interview claimants.

The statutory provision for all the social security services, including the unemployment payments, is contained in the Social Welfare Acts and regulations made thereunder. The basic legislation is the Social Welfare (Consolidation) Act, 1993.

3.2 Unemployment Benefit (UB)

3.2.1 Eligibility

UB is for insured persons between the ages of 16 and 66 who are unemployed. To qualify for UB a person must:

- be available for work, capable of work and genuinely seeking work;
- satisfy the social insurance contribution conditions (see below); and
- have suffered a substantial loss of employment (see below).

3.2.2 Contribution conditions

Specific social insurance conditions must be satisfied in order to qualify for UB. The claimant must have:

- at least 39 weeks contributions paid; and
- at least 39 weeks contributions paid or credited in the governing contribution year.

The governing contribution year is the last complete income tax year before the benefit year in which the claim is made. The benefit year begins on the first Monday in January each year.

3.2.3 Substantial loss of work

To satisfy the condition of having suffered a substantial loss of employment, a person must lose at least one day's work per week in comparison with his/her normal level of employment. Persons employed on a casual basis are exempt from this requirement

3.2.4 Disqualifications

- A person who has lost employment because of a trade dispute is disqualified from payment for as long as the dispute lasts.
- A person is disqualified for up to nine weeks if he/she:
 - (i) loses employment through his/her own misconduct;
 - (ii) voluntarily leaves employment without just cause;
 - (iii) refuses an offer of suitable employment;
 - (iv) unreasonably refuses to undergo suitable training provided or approved of for him/her by FAS;
 - (v) fails or neglects to avail himself/herself of any reasonable opportunity of obtaining suitable employment;
 - (vi) loses employment by reason of redundancy where person is under 55 years of age and amount of redundancy is at least £15,000.
- A person is disqualified for any period during which he/she is in prison. He/she is also disqualified while absent from the state except in certain circumstances.
- If he/she is convicted of an offence in relation to Unemployment Benefit, a person can be disqualified for 3 months.

3.2.5 Duration of benefit

Unemployment Benefit is not normally paid for the first three days of unemployment but this does not apply where there was an earlier Unemployment Assistance, Unemployment Benefit or Disability Benefit claim within the previous thirteen weeks.

Claimants under 18 years of age are entitled to Unemployment Benefit for a maximum of 156 days. Claimants aged from 18 to 65 years (incl.) are entitled to benefit for up to 390 days. A reckonable day is any day of the week, except Sunday, on which the applicant is deemed to be unemployed.

Persons who continue to be unemployed beyond the maximum period can claim Unemployment Assistance, subject to satisfying a means test.

While Unemployment Benefit is payable up to age 66, applicants who satisfy certain statutory contribution conditions can opt for Retirement Pension instead at age 65.

3.2.6 Requalifying

A person who has used up his/her UB can requalify once he/she gets 13 weeks work for which social insurance is paid. He/she would still have to satisfy the contribution conditions outlined above.

3.2.7 Rates of UB

UB is a flat rate benefit with increases for dependants. Since January 1993 the rates of UB payable are graduated according to a persons earnings in the relevant tax year. The rates payable per week (since July 1995) areas follows:

Average Weekly Earnings	Personal Rate	Increase for Adult Dependants (where appropriate)
Less than £35.00	£28.10	£24.20
£35.00 to £49.99	£40.40	£24.20
£50.00 to £69.99	£49.00	£24.20
£70.00 or more	£62.50	£37.50

In all cases an increase of £13.20 is payable for each child dependant if the person is in receipt of a payment for an adult dependant. Where no adult dependant increase is payable, half-rate child dependant increases are payable.

Reduced rates are payable to persons receiving widow's pension, deserted wife's benefit/allowance, lone parents allowance and prisoner's wife's allowance from the Department of Social Welfare.

3.2.8 Short-time workers

Systematic short-time workers are entitled to 1/5 of the benefit rates shown above for each day of unemployment. However, the combination of the number of days UB and the number of days worked may not exceed five. For example, if a person is on a three-day week, he/she will be paid by his/her employer for three days and will receive UB for two days.

3.3 Unemployment Assistance (UA)

3.3.1 Eligibility

An unemployed person who is not entitled to unemployment benefit may qualify for unemployment assistance provided he/she:

- (i) is aged between 18 and 66;
- (ii) is capable of work, available for work and genuinely seeking work;
- (iii) satisfies a means test.

3.3.2 Means test

In assessing an applicant's means, account is taken of such items as cash income, the value of investments or capital, the value of any property the applicant owns except his/her own home, income from insurable/self employment, the value of board and lodgings from living at home, and the benefit of a spouse's/partner's income.

3.3.3 Duration of payment

UA may be paid up to 66 (pension age) provided the applicant remains unemployed.

3.3.4 Rates of UA

The rates of UA vary between the short-term and long-term unemployed. Payment is made up of a personal rate and extra amounts for dependants. The maximum rates per week (June 1995) are:

	Short-term	Long-term
Personal Rate	£60.40	£62.50
Adult Dependant	£37.50	£37.50
Child Dependants	£13.20 each	£13.20 each

The long-term rate is payable where a person has been receiving an unemployment payment for 15 months or more.

3.4 Applying for unemployment payments

3.4.1 Making an application

Application for UA or UB should be made to the nearest Social Welfare local office on the first day of unemployment. The applicant will then be given a day and time each month to attend at the office. The application may be made by post if the person lives more than six miles from the office.

3.4.2 Returning to the labour force

If a person has been out of the labour market for some time he/she should apply for UB or UA on the first day he/she becomes available for work. It is unlikely that such a person would satisfy the contribution conditions for UB outlined in 3.2.2 but he/she could, of course, apply for UA. When a person returns to work after being out of the labour force for some time, he/she would not become entitled to UB until he/she had sufficient social insurance contributions to satisfy these contribution conditions.

3.5 Decisions and appeals

3.5.1 Decisions

Claims for all social welfare benefits are decided by Deciding Officers who are statutorily appointed.

3.5.2 Appeals

A person who is dissatisfied with a Deciding Officer's decision has the right of appeal to an to the independent Social Welfare Appeals Office. Appeals must be made within 21 days of the decision. Appeals Officers are also statutorily appointed and are therefore free of any direction or influence in arriving at their decisions.

3.5.3 Social Welfare Tribunal

A person whose claim to unemployment benefit or assistance has been turned down under the decisions and appeals machinery described above on the grounds that he/she lost his/her employment due to a trade dispute may apply to the Social Welfare Tribunal for an adjudication if he/she can contend that he/she has been unreasonably deprived of his/her employment by an employer who has failed or refused to utilise negotiating machinery normally available for the settlement of disputes. The Tribunal will determine in such cases whether benefit should be paid and the decision of the Tribunal is binding on all parties.

4. Matching Labour Supply and Demand

4.1 Placement

One of the functions of An Foras Aiseanna Saothair (FAS) as outlined in Chapter I is the administration of the placement service. The service is provided free of charge and there is no obligation on employers to notify vacancies.

A register of notified job vacancies is maintained in each office. Employers are provided with short lists of suitable applicants on the basis of which they make final selections. Most vacancies are filled at local level and where an office experiences difficulties details are circulated nation-wide. Computerisation of the system which is well advanced will enable all vacancies to be available on a nation-wide basis at all times. FAS also operates a self-service system in conjunction with the normal placement service and many vacancies are now filled through this method.

Jobseekers who register with FAS are interviewed by a Placement Officer and advised of existing job opportunities. In a situation where employment is not immediately available FAS will endeavour to place them on a training/employment programme appropriate to their needs and abilities. Any person judged to be in need of special assistance will be referred to an Occupational Guidance Officer for further counselling.

4.2 Relationship between FAS and Social Welfare Local Offices (SWLOs)

Against the background of high unemployment, the priority of FAS is to provide greater assistance to the unemployed with less emphasis being placed on those already in employment. Accordingly close contacts have been developed with the Department of Social Welfare and its network of local offices in order to ensure that resources are concentrated on those in need, especially those who have difficulty in getting a foothold in the labour market.

4.3 Private employment agencies

A large number of private employment agencies also operate in Ireland. These agencies must be licensed under the Employment Agency Act, 1971 and are required to send six-monthly returns of placements to the Department of Enterprise and Employment. In addition, their records must be available for inspection by an Inspector of the Department.

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1. Overall Measures

- IRL-i.1 A Government of Renewal, 1993 to 1999
- IRL-i.2 National Development Plan, 1994 to 1999
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A Government of Renewal, 1993 to 1999

Introduction

Overall Government policy in relation to economic growth, employment and social equity is set out in the programme entitled *A Government of Renewal*, which was drawn up by the three partners in the Coalition Government, Fine Gael, Labour and Democratic Left. Among the main priorities set out in the Programme are:

- the reform of our institutions at national and local level to provide service, accountability, transparency and freedom of information;
- the completion of progress towards peace and reconciliation in Northern Ireland based on parity of esteem between communities;
- the continued commitment to the employment needs of all – especially the long-term unemployed – in order to successfully address the causes of marginalisation in our society;
- the development of an innovative enterprising economy which meets the demands of international competition, and shares the reward of effort, initiative and success;
- the reform of our tax system, in particular to relieve the tax and PRSI burden on those with low incomes and especially those with families;
- the implementation of policies to reflect a commitment of the best quality of life for all in terms of health-care, justice, housing, education, protection of children and the family.

Economic and Budgetary Policy

The fundamental principle of economic and budgetary policy is the maintenance of firm control of public finances so that there is a steady reduction in the national debt/GDP ratio. The overriding requirements of the Maastricht Treaty to restrict general Government Deficit to around 3% or less of GDP, and to reduce the Debt/GDP ratio towards 60% will therefore be strictly adhered to. Within these constraints policy seeks to promote a high level of economic growth which is export-led and consistent with the maintenance of low single-figure inflation, so as to create the greatest possible employment demand. Over the period of this Programme it is intended that the growth of current supply services spending will be constrained to a maximum of 6%, in nominal terms in 1995, and to an average annual rate of 2% in real terms over the following two years of the Programme.

The continuation and extension of social partnership and consensus reflected in the Programme for Competitiveness and Work is a cornerstone of the approach to the management of the economy.

Industrial Policy

The focus of industrial policy will be the continued development of a strong, vibrant, indigenous industrial sector. This will be achieved through the promotion of industrial clusters and industrial districts, focusing grants on the development of fostering clusters of related industries around market niches, where there is competitive advantage, in order to facilitate shared information, research and distribution.

Measures will be geared towards helping small business in the creation of enterprise and employment and industries covered by the development agencies will be redefined so as to include areas of the service industry that offer growth in employment.

Tax Reform

The Government is committed to accelerating the process of tax reform, and is guided by some of the following principles and priorities:

- targeting lower paid workers and young new job entrants, through a combination of measures aimed at taking them out of the tax net, and the development of a reformed system of PRSI contributions and other measures;
- widening the standard tax rate band, with the aim of ensuring that only those on higher incomes would pay tax at above the standard rate;
- increasing personal allowances by significantly more than the rate of inflation;
- the standardisation of mortgage interest relief and voluntary health premium relief will continue. Any savings will be utilised to expand the standard rate band;
- raising the exemption threshold for employment and health levies.

Labour Market Measures

The programme emphasises the tackling of long-term unemployment. It proposes the establishment of an intensive guidance and placement service operated at local level. An improved Vocational Training Opportunities Scheme (VTOS) will be expanded from the current level. The Community Employment Scheme will be continued, with a target of placement for each disadvantaged area and unemployment blackspot, in co-operation and agreement with Social Partners. In order to encourage the maximum participation of women in Community Employment in disadvantaged areas, participation will be broadened to include women who are part of an unemployed or low income family. A youth opportunities employment programme for 18-21 year-olds will be created to allow young people access to employment participation and training at community level.

National Development Plan, 1994 to 1999

The National Development Plan was drawn up to build on the success of the EU Community Support Framework (CSF) 1989-1993. A recent evaluation shows that the investment of EU funds under the CSF 1989-1993 has given a lasting boost to Ireland's economic performance and indicates a real rate of return of 7-8% on the investment. Ireland's GDP per capita is estimated to have risen from 62% of the EU average in 1988 to an estimated 73% in 1993. The EU aid included in the last round of structural funds is estimated to have given a demand-side boost to employment of 30,000 new jobs in 1993, and to lead to a long-term supply-side increase in permanent jobs of about 10,000.

It is estimated that from 1993 to 1999, total investment, including public, private, and EU, will exceed £20 billion. The aim of the plan is to turn that investment, and the growth that comes from it, into jobs in industry, services, natural resources, tourism and construction. Up to 200,000 gross jobs will be created by the measures in the plan.

The National Development Plan aims to create new jobs and protect existing ones by a development strategy which will, with the assistance of EU funding:

- maximise the growth potential of the economy in industry and services, in tourism, in agriculture and in natural resources;
- put in place productive infrastructure to improve the capacity and competitiveness of the economy;
- maximise the skills and access to opportunity of people through education and training;
- place a special increased emphasis on harnessing local energies for enterprise development; and
- rebuild the economic potential of unemployment blackspots.

A key feature of the Plan will be the integrated development of areas of high long-term unemployment, economic marginalisation and social exclusion through a new local development programme, targeted at areas where these problems are most acute.

The main points of the plan are:

- infrastructural investments in roads, ports, airports, public transport, energy, the environment and urban renewal, to enhance the country's competitive base and ensure balanced regional development;
- an Operational Programme for Industry which would aim to increase the turnover, total employment, and exports of indigenous firms, create more jobs through inward investment, increase business expenditure on R&D, and increase the country's share of EU markets;
- a Local Development Programme involving the following four elements:
 - (a) County Enterprise Boards to act as a catalyst and support for local enterprise groups;
 - (b) an area-based approach, building on the experience of the pilot initiative introduced under the PESP (see section 1.3 below), involving the designation of specific areas and establishment of a Partnership Structure to bring about integrated socio-economic development;
 - (c) a selective programme of urban renewal; and
 - (d) substantially expanded training and work experience opportunities for the long-term unemployed through a Community Employment Programme.

The Local Development Programme is explicitly geared to achieve its objectives in ways which reflect the experience of local development initiatives to date. The four elements of the programme

are designed to address the priority needs of particular categories of area. The County Enterprise Board framework is designed to provide direct support for the establishment of viable businesses on the basis of an enterprise plan for each county. The particular needs of disadvantaged areas require a complementary emphasis on capacity building and on the improvement of the quality of life of communities in such areas as a means of tackling social exclusion and providing a foundation on which new enterprise development can, with a realistic longer timescale, be expected to develop. In inner city areas there is a particular need to focus on physical environment as part of an overall strategy to enhance their attractiveness, both for investment and enterprise purposes.

- The Community Employment Programme is a human resource measure to provide work experience and training, in terms of project training and a personal development module, which is designed to facilitate the re-integration of the unemployed, especially the long-term unemployed, into the labour market. Participants will undertake the programme for a period of one year or more and will receive counselling in the options available to them for further education, training, or open employment;
- investment in agriculture, rural development, forestry and marine resources; and
- investment in human resources including investment in the provision of vocational education and training for young entrants into the labour market; substantial investment in Continuing Training for both the unemployed and those in employment; and a series of substantial programmes for the disadvantaged.

Programme for Competitiveness and Work

The Programme for Competitiveness and Work, which was finalised in January 1994 and covers the period 1994 to 1997, is the third in a series of agreements between the Government and the social partners designed to provide a framework for economic growth which would improve and underpin economic performance, deepen the competitiveness of the economy, and thereby boost employment. The first of these agreements was the Programme for National Recovery (PNR) which covered the period 1987 to 1990. This was followed by the Programme for Economic and Social Progress (PESP) which covered 1991 to 1993. It is estimated that employment in Ireland grew by a net 56,000 under these two programmes.

The Programme for Competitiveness and Work aims to have 60,000 more people at work between 1994 and 1997, and to have 100,000 people who would otherwise be unemployed in community-based work, training and education by the beginning of 1997. The measures to achieve these aims focus crucially on three areas.

- The first is the development of small business and start-up enterprises where comprehensive action involving low interest loans, removal of "red-tape", focused incentives for equity investment, and support services at the local community level is being and will be put in place following on the Report of the Task Force on Small Business and a detailed review involving the Central Review Committee (set up under the Programme) and the National Economic and Social Forum, to be completed within 1994.
- The second area of crucial focus is the further development of jobs in the services sector. Government Departments and agencies across a wide range of services activities will take new steps, working with private sector promoters, to create more jobs. Further consideration will also be given to the changes in the area of taxation identified by the Task Force on Services.
- The third critical area of the Programme is the development of community-based work, increasing the number involved in such work from 60,000 at the end of 1993 to 80,000 by the end of 1994 and 100,000 by the beginning of 1997.

County Enterprise Boards

The first of the new County Enterprise Boards, a network of locally based enterprise development bodies, were established in 1993. Eventually, it is envisaged that coverage will be nation-wide. The Boards are being set up to promote job creation and community development. They include representatives from the local authorities, community, social partners and public agencies.

The objective of the Boards are strategic and the funding available to them provide a new source of support for local enterprise initiatives. They assume responsibility in business areas not already covered by the State industrial development agencies. They have responsibility for preparing Action Plans for their own areas. While those Plans can be expected to encompass a variety of measures their essential focus will be on pro-active strategies to tap the employment opportunities in their localities through:

- identifying and commercially developing local resources;
- promoting the creation and development of enterprises from within the local economy, particularly through support for local enterprise groups;
- creating and strengthening networks between the local community and State agencies in the interest of mobilising and co-ordinating their energies and knowledge in pursuit of wealth creation and employment opportunities.

The new Boards will not displace or duplicate local enterprise initiatives. Instead their role is to facilitate such initiatives and to act as a catalyst where no enterprise group is currently active at community level. Wherever applications for funding and advice are more appropriate to the remit of existing agencies, they will be re-directed to such bodies.

The primary focus is on proposals for start-up jobs in enterprise. There will be a clear focus on commercial viability and the avoidance of job displacement. Funding for these projects is expected to come from a wide range of sources including state agencies, financial institutions and EU funds.

2. Employment Maintenance

IRL-ii.1 Competitiveness and Employment Protection Unit

Competitiveness and Employment Protection Unit

Introduction

The Competitiveness and Employment Protection Unit (CEPU) was established under the Programme for a Partnership Government 1993 with the following objectives:

- To advise firms in difficulty of support available to them.
- To diagnose issues and problems in firms requiring help and to help them to find the assistance that they need.
- To co-ordinate and oversee the provision of support to firms in difficulty by State agencies.
- To promote actions and policies to improve the competitiveness of the target population of firms.

The Unit is a joint Forbairt/Department of Enterprise and Employment action. At the end of 1994, the Unit had examined a total of 163 cases, employing 10,204 workers, of which, 123 cases employing 8,153 workers arose during 1994.

Activities

The range of problems dealt with by the Unit can be categorised as follows:

1. Individual company problems.
2. Medium Irish Companies (20-100 employees).
3. Public procurement.

1. Individual company problems

The nature of the problems being experienced by companies who contacted the Unit varied but they all had the following common characteristics:

- Inadequate working capital and inability to raise it.
- Poor financial control and inadequate reporting systems.
- Underfunding and overdependence on borrowing.
- Poor management and organisational deficiencies.

The Unit assists companies by intervening for them with Banks etc. The Unit has been able to assist firms through such interventions. Contacts are also made with Financial Institutions, State Agencies and other agents who can help firms to address their trading, etc., difficulties.

2. Medium Irish Companies

Copies of the 30 day notification of collective redundancies by companies to the Minister as required by the Protection of Employment Act are circulated to the Unit. These companies are contacted to establish in detail the reasons for redundancies and if the Unit can be of assistance to the companies. While the reasons vary they can be summarised as:

- Skill and technical deficiencies.
- Industrial Relations problems.
- Market competition.

3. Public Procurement

The Unit has dealt with ten cases where companies experienced difficulties in tendering for public procurement contracts. All the contracts fell within the scope of the EU Public

Procurement Directives. The Unit is assisting in the appointment of the National Accreditation Board as the body responsible for the accreditation of attestors. Attestors will be responsible for certifying that the procurement of the public utilities conform with EU Directives. A member of the Unit represents the Department on the Government Contracts Committee. (GCC). The GCC is a committee of officials drawn from Departments concerned with purchasing and construction contracts and chaired by an official from the Department of Finance. The GCC must give its approval where Departments propose, because of particular circumstances to depart from the normal national contracting rules. It cannot permit departures from EU rules or obligations. The Committee also acts as a general forum for discussing issues relevant to contracts.

Assessment of the Impact of the Unit

The Unit was established under the Government's commitment to protect existing employment, as well as to help management and unions solve problems that threaten jobs.

At the establishment of the Unit, the Minister announced that

"The early notification of difficulties will be important in helping overcome them. Efforts are being made by me and my Department to encourage and assist the early identification of problems".

Accordingly, the main thrust of the Unit's interaction with firms is towards early and timely contact with a company, in order to overcome anticipated difficulties. The CEP Unit relies on the State agencies and Departments to provide early information on firms with difficulties as well as on contact and referral through direct telephone lines. The commercial banks have also been asked to co-operate in advising firms with difficulties to make contact with the Unit at an early stage and this has also been a notable input in this area.

"In the majority of cases, where a threat to employment was cited, it was possible to resolve the threat through addressing the underlying causes. In the remaining cases where redundancies may have been implemented, the notification to the Unit was either insufficiently timely or beyond the scope of the Unit, or my Department, to produce solutions. I am satisfied, therefore, that the majority of cases where companies have been in contact with the Unit, the outcome for the company concerned was positive". (Minister's Dail Reply to Mr John Bruton TD, 28 April 1994).

Future Direction

The Unit has identified problems common to firms experiencing difficulties in the manufacturing sector, outlined at paragraph 2. To address these issues, the Unit has the financial expertise of a qualified accountant. This expertise is necessary in dealings with the Revenue, Banks and State Agencies.

It will be necessary to involve project officials in Forbairt in aspects of this remedial/capacity building activities with firms. A "change programme" is also being developed to help firms address areas of foreseen difficulty.

The work of the Unit has been and will continue to be reviewed by the Group on Adjustment which includes Irish Congress of Trade Unions and Irish Business and Employers Confederation.

3. Aid to the Unemployed

- IRL-iii.1 Unemployment Benefit
- IRL-iii.2 Unemployment Assistance
- IRL-iii.3 Voluntary Work for the Unemployed
- IRL-iii.4 Jobs Facilitators
- IRL-iii.5 Redundancy Payments Scheme

Unemployment Benefit (UB)

Aim

To compensate insured workers who are unemployed.

Legal basis

Social Welfare (Consolidation) Act 1993 and regulations thereunder.

Contents

Qualifying conditions: See Chapter II, 3.2.

UB is normally payable for 390 days, excluding Sundays, to persons who are capable of work, available for work and genuinely seeking work and who satisfy the social insurance conditions. The rates of UB payable are graduated according to a persons earnings in the relevant tax year.

Financial resources

UB is financed by employers' and employees' contributions to the Social Insurance Fund and by Exchequer subvention.

Institutional support

The unemployment payments are administered by the Department of Social Welfare. Policy is administered centrally in the Department's Headquarters with decision-making being administered in the Social Welfare Local Offices which are grouped into 10 regions.

Duration

Ongoing.

Effects

Year	Average Recipients	Total Expenditure in IR£
1990	63,118	172,211,000
1991	74,262	213,291,000
1992	75,914	242,380,000
1993	75,600	240,100,000
1994	66,500	215,100,000

Unemployment Assistance (UA)

Aim

To provide income maintenance for a person who is genuinely unemployed and who has used up his/her unemployment benefit, or who does not satisfy the social insurance conditions for UB.

Legal basis

Social Welfare (Consolidation) Act 1993 and regulations thereunder.

Contents

UA is payable to persons between the ages of 18 and 66 (pension age) who are available for work, capable of work and genuinely seeking work. UA is means-tested (see Chapter II, 3.3). The maximum rates of UA are £60.40 for a single person (£62.50 for a person who has been unemployed for longer than 15 months) with an extra £37.50 for an adult dependant and £13.20 for each dependent child.

Financial resources

UA is financed by the Exchequer out of general taxation.

Institutional support

UA is administered by the Department of Social Welfare. Policy is administered centrally in the Department's Headquarters with decision-making, means-testing and payment being administered in the Social Welfare Local Offices which are grouped into ten regions.

Duration

Ongoing.

Effects

Year	Number of Recipients at 31 December	Total Expenditure in IR£
1990	152,042	522,030,000
1991	175,123	602,333,000
1992	196,467	719,379,000
1993	198,300	788,700,000
1994	199,000	799,500,000

Expenditure includes UA paid to certain small farmers who may not be employed. These farmers are not included as recipients.

Voluntary Work for the Unemployed

Aim

To encourage people receiving unemployment benefit or assistance to do voluntary work.

Legal basis

The scheme is an administrative measure.

Contents

This scheme was introduced in October 1983. It covers many forms of voluntary work including the following:

- helping the elderly, sick or disabled;
- helping church groups, youth clubs, residents or local development associations.

Provided that the unemployed person is still available to take up paid employment and is actively looking for paid employment, he/she may engage in voluntary work without affecting his/her unemployment payments.

Institutional support

The scheme is administered by the Department of Social Welfare.

Duration

Ongoing.

Effects

Approximately 175 persons were partaking in the scheme at the end of 1994.

IRL-iii.4

Jobs Facilitators

Aim

To help the unemployed to seek out options for themselves, whether through new job opportunities or by improving their job prospects through better training, education, or work experience.

Legal basis

None.

Contents

This programme was introduced in October 1983 and is still at implementation stage. Locally based Jobs Facilitators will have responsibility for identifying local employment, education, training, and work experience opportunities, and for advising and assisting the unemployed to link into these opportunities.

Institutional support

Jobs Facilitators are appointed by the Minister for Social Welfare and are based at local offices of the Department. They liaise closely with FAS, the County Enterprise Boards, the IDA, the PESP area Partnership companies, and any other agencies or voluntary/community groups which provide assistance to the unemployed.

Duration

Ongoing.

Effects

To date 30 Jobs Facilitators and eight Regional Co-ordinators have been appointed and are based in Social Welfare local offices throughout the country.

Redundancy Payments Scheme

Aim

To provide payment of compensation to workers who are made redundant.

Legal basis

Redundancy Payments Acts, 1967-1991.

Contents

An employee whose employment is terminated because of redundancy is entitled to a redundancy lump-sum payment. The main qualifying provisions for payment of the lump-sum are:

- to have been dismissed by reason of redundancy;
- to have been in continuous employment with the same employer for at least 104 weeks after attaining the age of 16 years;
- to have been in employment which was fully insurable for all benefits under the Social Welfare Acts, at any time within the four years prior to the redundancy (except in the case of regular part-time employees);
- to have been between the ages of 16 and 66 (Old Age Pension Age) while in employment; and
- to have been normally expected to work for at least 18 hours per week (or not less than 8 hours per week in the case of regular part-time employees) for the same employer.

The lump-sum is normally paid to the employee by the employer who then claim a 60% rebate from the Social Insurance Fund. In cases where the employer fails/refuses to make the payment, it is paid direct to the employee from the Fund. The lump-sum is calculated on the basis of age, length of service and the outgoing wage of the redundant worker. The wage taken into account in the calculation of the lump-sum is subject to a statutory ceiling which at present is £15,600 per annum or £300.00 per week.

The method of calculation is as follows:

- a half week's pay for each year of continuous and reckonable service between the ages of 16 and 41 years;
- a week's pay for each year of continuous and reckonable service over the age of 41 years and under the old age pension age which is 66 years at present; and
- an addition of one week's normal pay.

Any disputes concerning redundancy payments are dealt with by the Employment Appeals Tribunal.

Financial resources

Rebate and lump-sum payments are made from the Social Insurance Fund which is funded by employees, employers and the exchequer.

Institutional support

The scheme is administered by the Department of Enterprise and Employment.

Duration

Ongoing.

Effects

Proposed redundancies notified to the Department of Enterprise and Employment:

Year	Redundancies
1982	26,334
1983	29,915
1984	31,290
1985	22,531
1986	22,790
1987	24,090
1988	23,037
1989	13,395
1990	13,292
1991	16,687
1992	18,207
1993	18,238
1994	15,224

4. Training, Retraining and Occupational Mobility

- IRL-iv.1 Apprenticeship training
- IRL-iv.2 Specific Skills Training
- IRL-iv.3 Skills Foundation Programme
- IRL-iv.4 Enterprise Training
- IRL-iv.5 Local Training Initiative
- IRL-iv.6 Job Training Scheme
- IRL-iv.7 Training in Agriculture by TEAGASC
- IRL-iv.8 Farm Apprenticeship Scheme
- IRL-iv.9 CERT Training Courses

Apprenticeship Training

Aim

The overall objective of the scheme is to ensure that apprentices are trained in sufficient numbers and to an appropriate level of skill to meet the existing and projected needs of the economy for skilled workers. In so doing, young persons will be given the opportunity of training for worthwhile careers.

Legal basis

- (i) Industrial Training Act, 1967;
- (ii) Labour Services Act, 1987;
- (iii) Industrial Training (Apprenticeship Levy) Act, 1994.

Contents

In September 1993, the Standards-Based Apprenticeship System was introduced alongside the existing Time-Served Apprenticeship System. 15 trades transferred to the new system in 1993, a further five transferred in September 1994, with the remaining five transferred in September of 1995. It is intended to increase the number of apprentices in the designated trades and to increase the number of occupations which are designated.

Features of the new Standards-Based Apprenticeship System:

- Standards based rather than the traditional time served. The duration of Apprenticeship is determined by the training/education/development requirements of each trade.
- All apprentices are required to have an employer.
- The new system has an integrated curriculum with theoretical and practical elements. It has 7 phases, Phase 1, 3, 5 and 7 are on-the-job with the employer. Phases 2, 4 and 6 in FAS Training Centres or Educational Colleges. Maximum cumulative phases of off-the-job training and development does not exceed 40 weeks.
- Off-the-job phases comprise of a number of modules each of which must be passed. For on-the-job training apprentices are assessed for their level of competency while operating under work conditions.
- On-the-job costs are met by employers, this includes wages and training costs. Off-the-job costs are met by an apprentice fund which is financed by (i) the Apprenticeship Levy to which specified Industry Sectors contribute, and (ii) the Exchequer.
- Modular approach will provide for flexibility and cross-skilling.
- Successful apprentices are awarded a National Craft Certification, jointly awarded by the Department of Education and FAS, which is the compulsory requirement for recognition as a craft person, providing for national and international recognition.

Financial resources

In 1994, total direct expenditure on (1st year) apprenticeship training amounted to £5.085m.

Duration

Ongoing.

Effects

During 1994, FAS provided training for a total of 1,755 apprentices.

Specific Skills Training

Aim

To provide training opportunities for individuals so that they may be able to improve their standards of skill in order to increase their earning power and derive greater job satisfaction.

Legal basis

- (i) Industrial Training Act, 1967;
- (ii) Labour Services Act, 1987.

Contents

FAS provides a very wide range of courses in both manual and white-collar and service skills, ranging from operative to managerial level. The courses emphasise practical training in simulated 'real-life' situations. Courses vary in duration from six weeks to one year. The average is about four months. FAS pays standard training allowances to the trainees.

Financial resources

The total direct cost of this programme in 1994 was £22.363m.

Institutional support

FAS trains persons through its network of training centres and also through external contractors.

Duration

Ongoing.

Effects

Approximately 70% of trainees of FAS specific skills training courses gain employment upon completion. The remainder use their enhanced skills to obtain jobs later or, increasingly, create their own employment.

In 1994, FAS trained 13,797 people under this programme in its training centres or through its External Training Division.

Skills Foundation Programme

Aim

To provide basic training and experience.

Legal basis

- (i) Industrial Training Act, 1967;
- (ii) Labour Services Act, 1987.

Contents

The programme is geared towards early school leavers who have no employable skills. It provides young people with an integrated programme of training, education and work experience and helps them develop a general skills foundation. During the 27 week programme participants prepare work and training plans, and learn basic and specific skills relevant to their area of interest. A four week period of practical training is also incorporated into the programme.

Financial resources

Total direct costs in 1994 were £1.392m.

Institutional support

The programme is administered by FAS.

Duration

Ongoing.

Effects

The total number of persons who completed the Skills Foundation Programme in 1994 was 625.

Enterprise Training

Aim

FAS operates a number of training programmes under this heading, such as 'Start Your own Business' 'Women into Enterprise' and 'Self-Employment' programmes. These programmes are designed for potential entrepreneurs to test the feasibility of their business idea and thus to facilitate the rational development of the small business enterprise.

Legal basis

- (i) Industrial Training Act, 1967;
- (ii) Labour Services Act, 1987.

Contents

The Enterprise Training programmes combine an initial period of intensive training, followed by more practical fieldwork where the participant is allowed to get to work on his/her own idea and develop it in the market place. Among the topics covered in the training element of the programme are enterprise motivation, marketing and market research, product development, finance/costing, managerial techniques, production, sales and business administration.

Financial resources

Total direct costs in 1994 were £1.798m.

Institutional support

Administered by FAS through its network of Training Centres and External Training Division.

Duration

Ongoing.

Effects

Training for self-employment in the form of enterprise training or 'Start Your Own Business' courses is critical to the development of successful indigenous enterprises, particularly where the potential entrepreneur may have no previous experience of self-employment.

FAS Enterprise Development Courses catered for 1,132 participants in 1994.

Local Training Initiative

Aim

The Local Training Initiative covers a number of community-based training programmes designed to make training services available to local communities which have identified a need for such services within their area.

Legal basis

- (i) Industrial Training Act, 1967;
- (ii) Labour Service Act, 1987.

Contents

The training requirements of local communities are catered for by a variety of programmes each designed to meet different needs. The most notable of these programmes is the Community Response Programme. During 1991 the range of programmes included archaeological, folklore and genealogical programmes. The activity-based training is provided on a modular basis relating both to the demand of the task and to the needs of the person participating in the programme.

Financial resources

Total direct costs in 1994 were £4.407m.

Institutional support

Training is provided within the community on premises provided by the local community, while FAS is responsible for the provision of instructors and – where necessary – equipment.

Duration

Ongoing.

Effects

A total of 1,649 persons participated on Local Training Initiatives during 1994.

Job Training Scheme

Aim

The provision by employers of a quality work-based training programme in conjunction with FAS.

Legal basis

Labour Services Act, 1987.

Contents

Trainees taken on by employers follow a structured and supervised programme of training in a work-based setting, tailor-made to their individual needs. Training includes both directed and work-based training and lasts for between 13 and 52 weeks, depending on the amount of training required. Persons eligible to participate under the scheme must be unemployed immediately prior to recruitment. In addition, individuals completing a FAS, CERT, Teagasc or other approved state-sponsored programme are also eligible, where this involves a progression. Individuals registered with the National Rehabilitation Board are also eligible.

Financial resources

Total direct costs in 1994 were £6.880m.

Institutional support

Administered by FAS.

Duration

Ongoing.

Effects

In 1994, 2,619 persons participated on the scheme.

IRL-iv.7

Training in Agriculture by TEAGASC (The agriculture and food development authority)

Aim

To stimulate rural and agricultural development by providing education, training and advisory and research services.

Legal basis

Teagasc is a State sponsored body – responsible inter alia for providing education and training in agriculture (including rural development) and food – which was established under the Agriculture (Research, Training and Advice) Act 1988.

Contents

Teagasc provides a range of courses – both full-time and part-time – covering all aspects of agriculture, horticulture, food and rural development. The full-time courses are generally of one to three years duration and lead to the award of national qualifications.

Courses are provided for young entrants to the agricultural industry – mainly school leavers. The Certificate in Farming, the Diploma in Commercial Horticulture and the Diploma in Amenity Horticulture – all three year sandwich programmes – are the main courses for young entrants. For adult farmers and other rural adults courses are provided in 20 hour modules on specific topics.

Financial resources

Exchequer funding in the form of a State grant is provided for current expenditure. The Minister for Agriculture and Food, on the basis of the approved annual programme, decides on the amount of the grant. Teagasc also derives income from the European Social Fund to co-fund its training programme; from farmers and other clients as fees for services, and from sales of products from its research and training farms. In 1994 the main income sources with approximate amounts were:

State Grant and EU funds	£55m;
Generated Income	£14m.

Institutional support

Full-time courses are administrated through Teagasc's own network of five residential agricultural/horticultural colleges, and also through eight privately owned agricultural/horticultural colleges. Teagasc also operates fifty agricultural training centres, generally located in county towns, where part-time and day-release courses are provided.

Duration

Courses range from 20 hours to three years.

Effects

Intake of students 1994	
School Leavers:	
- To Agricultural and Horticultural Courses	1,700
- To Cert in Rural Enterprise	100
Adults:	
- To Agricultural and Horticultural Courses	3,500
- To Diploma in Rural Enterprise	100

Farm Apprenticeship Scheme

Aim

To provide husbandry and management training for entrants to farming either as inheritors or as hired managers.

Legal basis

The Farm Apprenticeship Board which implements the scheme is a registered company.

Contents

This is a full-time apprenticeship programme with an annual intake of about 160 students. It provides practical on-the-job training interspersed with periodical block and day release courses. A prerequisite for entry is satisfactory completion of a one year course in general agriculture at an agricultural college. The practical training period lasts three years, during which apprentices are placed on farms of master farmers, selected by the Farm Apprenticeship Board, and work under the supervision of the Board.

Financial resources

The Farm Apprenticeship Board is financed mainly by a grant from Teagasc – the Agriculture and Food Development Authority. The grant was £237,000 in 1994.

Institutional support

The Board is an autonomous body comprised of representatives of a number of agricultural organisations including Teagasc which is represented by one member of the Authority and one staff member.

Duration

Three year apprenticeship.

Effects

Practically all apprentices, on qualifying, take up careers in agriculture either as inheritors or employees in management positions. A total of 275 apprentices were in training in 1994/95.

IRL-iv.9

Cert Training Courses

Aim

CERT is Ireland's state tourism training agency, responsible for the recruitment and training of personnel at all levels of the hotel, catering and tourism industry. Its objective is to ensure high operational standards in the industry through a professionally trained workforce and business support services.

Legal basis

CERT was incorporated as a limited company in 1963 under the Companies Act, 1908-59.

Contents

CERT advises Government on manpower and training needs of the industry and co-ordinates training programmes and structures to meet these needs. Services to Government and the industry include:

- development of national training systems and facilities;
- ongoing identification of manpower and training needs;
- industry-based training of tourism personnel;
- recruitment and training of new entrants through college-based programmes;
- basic skills training for unemployed adults;
- business development and advisory services to industry.

Financial resources

1991:	£8.8m (current);	£1.5m (capital).
1992:	£9.3m (current);	£3.2m (capital).
1993:	£10.1m (current);	nil (capital).
1994:	£11.0m (current);	nil (capital).

Institutional support

CERT operational network consists of seven regional offices, ten hotel and catering colleges and three training centres for the unemployed. Temporary training centres are used to supplement the fixed network, with six centres being opened in 1994.

Duration

Ongoing.

Effect

In 1994 CERT trained a total of 11,730 people. This figure included over 1,545 unemployed people who participated in basic skills courses. 83% of people completing such courses subsequently found their first job in local hotels, restaurants and bars, while 98% of those who completed formal craft training were placed in employment in the industry.

5. Job Creation

- IRL-v.1 Community Employment Programme
- IRL-v.2 Jobstart
- IRL-v.3 Work-Place
- IRL-v.4 Pilot Whole-Time Jobs Option
- IRL-v.5 Community Enterprise Programme
- IRL-v.6 Back to Work Allowance
- IRL-v.7 Job-sharing in the Civil Service
- IRL-v.8 Career Breaks in the Civil Service

Community Employment Programme

From April, 1994, the Social Employment Scheme (SES), the Community Employment Development Programme (CEDP) and Teamwork were replaced by a new programme called Community Employment (CE). The design of CE has been altered, with effect from April 1996, to take the form of two distinct options:

- Part-Time Integration Option;
- Part-Time Job Option.

Aim

The main aims are:

- (a) to provide temporary work experience together with some training for long-term unemployed people and other special categories such as Lone Parents and those referred by the National Rehabilitation Board (NRB) that would assist those concerned in obtaining mainstream employment.
- (b) to help voluntary groups and public sector bodies to do worthwhile work which they could not otherwise have undertaken.

Legal basis

Labour Services Act, 1987.

Contents

Under the CE programme, public sector and voluntary organisations are grant-aided in respect of sponsoring individual projects and they in turn benefit in a secondary way by being able to carry out worthwhile work which they could not otherwise undertake. Suitable projects would be those that can be shown to respond to a clearly identified community need and which also develop the work skills of participants, thereby enhancing their prospects of future employment. Participation on CE is confined to those in receipt of an unemployment compensation payment, those referred by the National Rehabilitation Board and others in receipt of certain means-tested social welfare payments who have been identified as having difficulty in obtaining mainstream employment.

The Part-Time Integration Option is targeted at the long-term unemployed with reasonable prospects of employment. Participation will normally be for one year and an enhanced training element will be phased in for participants. Married unemployed people will be allowed to swap their entitlements for participation in this programme. Recruitment by sponsors will be in co-operation with FAS and the Local Employment Service. Up to 10% of participants may be re-engaged for a second year. A target of 30% placement into jobs and 20% into further labour market opportunities will operate subject to review. 30,000 places will be provided for this option.

The Part-Time Job Option is targeted at the older very long-term unemployed with poor employment prospects. The age restriction (over 35 years) does not apply to lone parents or travellers. Participants on this option will have an annual contract of employment, renewable for up to three years subject to availability of a place, with access to relevant worker protection legislation applying to part-time workers including holiday and notice entitlements. At the end of each year, a review will be carried out by the sponsor, in consultation with FAS and the Local Employment

Service where appropriate, to determine that the placement is meeting the needs of the participant. Married unemployed persons will be allowed to swap their entitlements for participation on this Programme. A target of 10,000 places for this option will be phased in by the end of 1997.

Financial resources

The Programme is financed by the Exchequer. Approximately £200.6m was spent on Community Employment in 1994.

Institutional support

The scheme is administered by FAS, who also provide support/guidance to individual sponsors of projects.

Duration

Ongoing.

Effects

At the end of May 1996 there were 39,000 participants on Community Employment.

Jobstart

Aim

The provision of a recruitment subsidy scheme for the long-term unemployed in order to increase the proportion of jobs in the economy filled by the long-term unemployed against a background where such persons are often by-passed in job selection. The scheme will cater for up to 5,000 people.

Contents

A Jobstart subsidy of £80 per week will be paid to the employer in respect of 52 weeks continuous employment of eligible Jobstart participants. Participants must be very long-term unemployed i.e. more than three years on the Live Register. Jobstart can apply in respect of both new (additional) jobs or as replacements arising from vacancies.

Financial resources

The subsidy scheme will, when fully operational, cost £20m annually.

Institutional support

The scheme is administered by FAS.

Duration

Ongoing.

Work-Place*Aim*

To place, for a period of up to five weeks, unemployed persons with employers

- who have an identified vacancy and are willing to offer it on a trial basis with no obligations about subsequent recruitment, or
- who, although not having an identified vacancy, can offer quality experience.

Contents

5,000 places will be made available on Work-Place with participants gaining real experience that will facilitate their re-integration into the labour market either with the employer on Work-Place or some other employer.

Financial resources

Cost will be limited to some small premium for participants, in addition to welfare payments, to cover expenses such as travel to work.

Institutional support

The scheme is administered by FAS.

Duration

Ongoing.

Pilot Whole-Time Jobs Option

Aim

To provide full-time work for 1,000 people for three years at the going rate of pay with local "not for profit" sponsors in order to

- provide direct employment for those among the long-term unemployed for whom access to the labour market is extremely limited;
- provide useful work through the voluntary, community and statutory sectors which can have a significant impact on local development in confined urban areas which have extremely weak local labour markets.

Contents

Work undertaken can cover any "not for profit" activity. Development of innovative social economy activities which can make a significant contribution to local development and the implementation of Area Action Plans will be encouraged.

Institutional support

The scheme is administered by the Local Employment Service.

Duration

Ongoing.

Community Enterprise Programme (CEP)

Aim

The goal of the Community Enterprise Programme (CEP) is to help community-based groups and worker co-operatives to generate extra income and employment by either setting up businesses directly or helping individuals and groups to set up businesses. The programme is particularly geared towards disadvantaged groups/areas, and the unemployed.

Legal basis

- (i) Youth Employment Agency Act, 1981 (Section 4);
- (ii) Labour Services Act, 1987.

Contents

The term "community enterprise" is shorthand for the range of organisations (e.g. community, youth organisations and employment committees) which operate in the community for the good of the community. The approach of the Programme is essentially to help communities to help themselves by providing the following assistance:

- advice to groups who want to take a community enterprise initiative;
- planning grants for groups wishing to identify and investigate goods and services which might be provided locally;
- enterprise workers recruited by local community groups to be financially assisted through CEP by FAS for up to twelve months;
- linkages into the programmes and grant-aid schemes of other state and commercial agencies – the Community Enterprise Programme is complementary to the enterprise development programmes available from other bodies, such as the IDA, Shannon Development, Udaras na Gaeltachta and County Development Teams;
- direct financial aid for groups at the point of the "start-up", specifically to contribute towards capital and revenue requirements and project management costs for up to twelve months.

Financial resources

The Programme is funded by FAS with some assistance from the European Social Fund. Direct expenditure on CEP in 1994 was £0.399m.

Institutional support

Individual projects are administered by community and youth groups.

Duration

Ongoing.

Effects

Approximately 400 community organisations were assisted under the Community Enterprise Programme during 1994. A number of local business advice services and community-owned workspaces have also been supported along with projects with income-generating potential.

Back to Work Allowance

Aim

The scheme, introduced in September 1993, is a specific incentive designed to encourage the long-term unemployed to seek out employment or take up self-employment. It provides a financial cushion to this disadvantaged group to help them to re-enter the workforce. It is designed to encourage growth in industry sectors that have already been identified as having potential for providing additional employment, training or self-start opportunities.

Legal basis

Administrative.

Contents

To qualify for participation in the scheme, applicants must:

- be aged 23 years or over; and
- be receiving a minimum rate of Unemployment Assistance (£40 per week if single, £62 per week if married) and have been unemployed for at least 12 months; or
- be receiving a Lone Parent's Allowance.

Periods spent on Second Chance Education or FAS schemes will count as periods of unemployment.

Persons who take part in the scheme will receive 75% of their weekly social welfare entitlement (including adult and child dependant allowances) in the first year, 50% for the second year and 25% for the third year. They will also continue to retain all the secondary benefits (such as Medical Cards) they had been receiving prior to their participation in the scheme subject to a weekly income limit of £250.

The work being offered must be new employment, come within the designated sectors, be likely to develop into a lasting job, not displace existing employment, and be a minimum of 20 hours work per week.

Financial resources

The scheme is financed by the Exchequer out of general taxation.

Institutional support

The scheme is administered by the Department of Social Welfare.

Duration

Ongoing.

Effects

Since its introduction, the scheme has been singularly successful in achieving its objective. Over 8,200 have left the Live Register and are currently on the Allowance. Almost two thirds are involved in self-employment and some of these have created further employment with the assistance of the scheme for other long-term unemployed people. Such employers can now also qualify for an Employment Grant under the scheme.

IRL-v.7

Job-sharing in the Civil Service

Contents

Under the terms of the scheme (which was introduced in 1984) two members of the staff may, in agreement with management, volunteer to share equally the duties and responsibilities of one post in return for half of the pay and other benefits associated with the post. Officers must undertake to job-share for a minimum of one year. There is no maximum period specified.

All officers (including those still on probation) are eligible to apply to participate in the job-sharing scheme. Attendance regimes, which must be agreed between the two job-sharers and management, may be on a week on/week off, split week or mornings/afternoons only basis.

Officers who opt for job-sharing may return to full employment on request, subject to availability of a suitable vacancy.

Effects

The number of civil servants job-sharing as of February 1994 was 1,498.

IRL-v.8

Career Breaks in the Civil Service

The scheme allows civil servants to take special leave without pay (subject to a minimum of six months* and a maximum of five years) for child-rearing and other domestic purposes, for educational purposes and for travel abroad. Officers returning to work after a career break are assigned to the next appropriate vacancy arising. Officers are guaranteed re-employment within twelve months of the expiry of their career break.

Effects

The number of civil servants on career break as of 1 March 1994 was 1,373.

* The six-month minimum is operating on a pilot basis since 1 January 1993. Formerly the minimum was one year.

6. Special Categories of Workers

Youth/Long-term unemployed

- IRL-vi.1 Community Youth Training Programme
- IRL-vi.2 Graduate Employment Programmes
- IRL-vi.3 Community Training Workshops
- IRL-vi.4 Students Summer Jobs Scheme
- IRL-vi.5 Youthreach
- IRL-vi.6 Alternance Programme
- IRL-vi.7 Educational Opportunities for the Unemployed
- IRL-vi.8 Employment Opportunities for the Unemployed

Disabled

- IRL-vi.9 Vocational Services of the National Rehabilitation Board
- IRL-vi.10 Training Services for the Disabled provided by the NRB

Community Youth Training Programmes

Aim

To give basic training coupled with work experience to young people under the age of 25 who are unemployed. This training will be provided through projects which will be of benefit to the community.

Legal basis

- (i) Industrial Training Act, 1967;
- (ii) Labour Services Act, 1987.

Contents

Projects must be of benefit to the community, for example, renovation of old peoples' homes, decoration of community centres, extension of community halls, etc. Since 1984 this programme has also served as the main support vehicle for any local communities wishing to undertake major construction projects.

Depending on the nature of the work, the project team may include unemployed craftsmen and apprentices as well as unskilled youths. Young persons gain a combination of basic training, work experience, core industrial skills and an opportunity to develop self-reliance and maturity. Projects may last up to one year.

FAS pays standard training allowances to the trainees and for the instructor costs. The community organisation sponsoring the project must pay for the costs of materials.

Financial resources

The total direct cost to FAS in 1994 was £11.349m.

Institutional support

The Community Youth Training Programme is administered by FAS. Under the Programme, every project must have a sponsoring body within the community which will take legal responsibility for the project in such matters as insurance, planning permission, etc.

Duration

Ongoing.

Effects

3,033 participants completed the Community Youth Training Programme in 1994.

Graduate Placement Programme

Aim

This programme obtains placements for Irish graduates with a variety of companies, mainly in Japan, but also in Europe and the United States. Its objectives are to promote employment for young graduates and to allow Irish companies an opportunity to recruit specialists on their return from abroad.

Legal basis

- (i) Youth Employment Agency Act, 1981;
- (ii) Labour Services Act, 1987.

Contents

The key to the success of the programme is the matching of the returning widely experienced graduates with identified vacancies in companies where the graduates' skills will be of maximum benefit to the company.

Financial resources

The cost of the graduates' travel and induction courses are met by FAS. Salaries and accommodation costs are met by the sponsoring company.

FAS's financial contribution to the Programme in 1994 was £0.06m.

Institutional support

The scheme is administered by FAS.

Duration

Ongoing.

Effects

A total of 28 graduates were placed through the Graduate Employment Programme in 1994.

Community Training Workshops and Travellers* Training Workshops

Aim

To provide special training facilities within the community for disadvantaged young people (e.g. young people who leave school with no qualifications), many of whom are educationally disadvantaged and/or come from economically deprived families.

Legal basis

- (i) Industrial Training Act, 1967;
- (ii) Labour Services Act, 1987.

Contents

Course content varies in the different centres but is aimed to provide a basic introduction to manual and/or clerical skills. Trainees may then be suitable to proceed to normal vocational training courses or gain employment directly. The training programmes are geared towards developing self confidence as well as learning practical skills.

The duration of courses varies from 2-3 months up to one year for all workshops. FAS pays standard training allowances to trainees.

Financial resources

Total direct/current costs in 1994 were £13.056m.

Institutional support

FAS has continued to expand its involvement with Community Training Workshops. By the end of 1992, there were 73 such workshops throughout Ireland including 27 specially designed for young travellers*.

Duration

Ongoing.

Effects

During 1994, a total of 2,648 persons completed training programmes in Community Training Workshops.

* Travellers can be defined as groups of families who lead a nomadic existence to a greater or lesser extent.

Students Summer Jobs Scheme

Aim

This innovative scheme, introduced in 1993, allows third level students (who were previously entitled to Unemployment Assistance during their summer holidays) to undertake employment useful to the community with sponsors such as community, voluntary and sporting groups who must register with the Department. The scheme provides the students with valuable work experience while contributing to their local communities at the same time.

Legal basis

Administrative.

Contents

The scheme operates from 1 June to 30 September and students who satisfy a means test are issued with a Job Certificate which allows them to undertake 200 hours work with a registered Sponsor. The Sponsor can recoup the wages paid from the Department and the hourly rate of pay is determined in advance by the Department.

Financial resources

The scheme is financed by the Exchequer out of general taxation.

Institutional support

The scheme is administered centrally by the Department of Social Welfare and is promoted locally among the communities by the Jobs Facilitators.

Duration

Ongoing from June to September each year.

Effects

In 1995, 22,884 applications were received, of which 18,887 were issued with Jobs Certificates. It is estimated that 14,000 worked under the 1995 scheme.

Youthreach

Aim

The objective of Youthreach is to provide for up to two years duration of co-ordinated foundation training, education and work experience for those young people in the 15/17 age group who find it most difficult to make the transition from school to work, i.e. those who leave school with little or no formal educational qualifications.

Legal basis

Non-statutory.

Contents

The programme provides for two phases of co-ordinated education and training: a broad pre-vocational foundation phase, followed by progression into education and work-based training and specific skills training.

Financial resources

Total estimated direct costs in 1994 were £10m approximately.

Institutional support

Youthreach is operated locally by FAS and Vocational Education Committees, under the overall direction of the Departments of Enterprise and Employment and Education.

Duration

Ongoing.

Effects

During 1994 approximately 2,500 young people participated in Youthreach.

Alternance Programme

Aim

To expand the range of occupational options available to the long-term unemployed and to those seeking to re-enter the Labour Force after a prolonged absence.

Legal basis

- (i) Industrial Training Act, 1967;
- (ii) Labour Services Act, 1987.

Contents

This programme consists mainly of the Return to Work courses and is aimed at persons aged 25 years and over who have been unemployed for more than one year. The programme consists of alternating periods of formal training with periods of relevant practical job training in a work environment. The programme is of six months duration and is divided into four months off-the-job training and two one month practical training periods. Participants receive a standard training allowance from FAS.

Financial resources

Total direct costs in 1994 were £1.570m.

Institutional support

The scheme is administered by FAS.

Duration

Ongoing.

Effects

The goal of the programme is to help the long-term unemployed by restoring self-confidence, and developing initiative and job finding skills. It encourages trainees to examine alternative occupational options which include self-employment, co-operative ventures and community service. During 1994, 1,088 persons completed Return to Work courses.

Educational Opportunities for the Unemployed

Aim

To encourage people receiving unemployment benefit or assistance to go back to school and thereby improve their job prospects.

Legal Basis

Social Welfare Consolidation Act 1993.

Contents

There are four schemes:

1. **Second Level and Further Education:** The Department of Social Welfare now allows all adults over 21 years of age who are in receipt of unemployment payments for at least 12 months to pursue approved full-time or part-time education programmes or Post Leaving Cert/Vocational Preparation and Training Programmes without loss of social welfare entitlement. The purpose is to encourage those with little formal qualifications to return to second chance education or vocational training. Participants may pursue Junior Certificate or Leaving Certificate programmes or avail of vocational training across a wide range of disciplines. In these cases, the Social Welfare allowance continues to be paid by the Department of Social Welfare.
2. **Vocational Training Opportunities Scheme (VTOS)** This scheme enables long-term unemployed adults 21 and over who have been in receipt of unemployment payment for at least six months to pursue a range of education and vocational training options. Courses are full-time, last approximately 30 hours per week and include mathematics and English as well as vocational subjects. Participants are paid a training allowance by the Vocational Education Committee equal to their social welfare entitlements. The programme is funded by the Department of Education with support from the European Social Fund.
3. **Third Level Allowance Scheme**, introduced in 1990, which allows people aged at least 23 and in receipt of an unemployment payment for at least six months to pursue a third level course at under graduate level and continue to receive their unemployment payment. This is particularly geared for unemployed people gaining access to colleges and universities under the mature student options.

Institutional support

The educational programmes are administered by educational institutions funded by the Department of Education, principally by the Vocational Education Committees. The arrangements whereby entitlement to social welfare benefits is continued are administered by the Department of Social Welfare.

Duration

Ongoing.

Effects

These schemes greatly improve the skills and employment prospects of people and also facilitate personal development.

IRL-vi.8

Employment Opportunities for the Unemployed

Aim

To encourage unemployed people to take up employment with the assistance of a temporary cushion to bridge the transition.

Legal basis

Administrative.

Contents

1. The Part-Time Job Incentive Scheme allows certain unemployed people to take up part-time employment and continue to receive an allowance from the Department of Social Welfare (part-time job allowance). Participation on the scheme is limited initially to one year and participants are still expected to continue efforts to find full-time employment. The number of hours worked cannot exceed 24 in the week and the employment must be insurable under the social welfare acts. An applicant must also have an entitlement to unemployment assistance which is not less than the part-time job allowance rates.

The allowance is:

£39.90 a week for an applicant who is not entitled to an increase for an adult dependant;

£65.60 a week for an applicant who is entitled to an increase for an adult dependant.

2. The Area Based Initiative was introduced in 1992 as part of the tripartite Programme for Economic and Social Progress which was then in force. It now involves a sustained and concentrated attack on unemployment in 33 designated areas by all public and private, local and national bodies. The local Area Partnership company co-ordinates the initiative in each area. Participants must be unemployed for at least a year. The Department of Social Welfare pays participants who have been approved for self-employment projects allowances equivalent to unemployment payments for one year, and pays secondary benefits to certain unemployed people who have secured employment or a training course under the aegis of their Area partnership company. After 12 months in receipt of the allowance participants automatically transfer to the Back to Work Allowance (cf. Chapter III, IRL-v.6).

Institutional support

The schemes are fully (part-time job) and partially (area-based initiative) administered by the Department of Social Welfare.

Duration

Ongoing.

Effects

These schemes help to re-integrate unemployed people into employment.

Vocational Services of the National Rehabilitation Board (NRB)

Aim

The mission of NRB is, on behalf of the state and in consultation with people with disabilities, to enable and empower people with disabilities to live the life of their choice to their fullest potential. In order to achieve this NRB must:

- identify and advise on the needs of people with disabilities and the policies and services required to meet them;
- develop, provide and co-ordinate services; and
- promote recognition of rights and equality of opportunity.

Legal basis

NRB was established by the Minister for Health in 1967 under the Health (Corporate Bodies) Act, 1961. Its functions outlined under Section 4(b) of the National Rehabilitation Board (Establishment) Order 1961, include:

- the provision of a service for the assessment of disability and the giving of vocational guidance to disabled persons;
- the training of disabled persons for employment suitable to their conditions of health; and
- the provision of a service for the placement of disabled persons in employment.

Contents

NRB decided in 1991 to regionalise all of its services. This was in order to ensure that there is easy access in all parts of the country for people with disabilities to its employment-related services. Among these services are:

- The Occupational Guidance Service, which
 - assists people with disabilities to find training or further education,
 - assists people with disabilities to find realistic occupational goals that suit their abilities, interests and personality, and
 - provides information on the range of training programmes available.
- Job Clubs, which aim to give people with disabilities support and training in order to improve their Job prospects.
- The Employment Support Scheme (ESS), which offers financial support to employers to encourage them to employ people with disabilities whose work productivity levels are less than average.
- The Personal Reader Grant, available for people who are blind or visually impaired and who need help with reading at work.
- The Workplace/Equipment Grant, available in certain cases to employers to adapt their premises or equipment in order to suit the needs of employees who have a disability.
- The Job Interview Interpreter Grant, for people attending an interview who have a speech or hearing impairment, in order that they may have an interpreter attend the interview with them.

Financial resources

The State contribution to running costs will usually take the form of capitation fees paid in respect of each client and a contribution to transport costs of trainees. The State normally contributes to capital costs also. These contributions are in addition to allowances paid by the state to each disabled person and are distributed directly by the Department of Health to training organisations. The NRB does not manage these resources.

Department of Health subvention of £3,464,000.

European Social Fund Grant Aid of £2,300,000.

Institutional support

NRB works closely with statutory and voluntary organisations engaged in the provision of services for people with a disability.

Duration

Ongoing.

Effects

Despite difficult employment conditions in 1991, some 911 clients of NRB's training and employment services found jobs in open employment, up almost 5% on 1990. In addition, 2,070 people went onto further education or training.

Training Services for the Disabled provided by the NRB

Aim

NRB co-ordinates and supports a range of specialised training courses for people whose disability is such that it prevents their participation in mainstream training.

Legal basis

Health Act 1970. The Health Act provides that Health Boards should make arrangements for the training of disabled persons. In practice, this statutory responsibility is discharged mainly through voluntary organisations, which receive state financial support for the provision of training.

Contents

Skill Base: a programme developed by NRB aimed at meeting the needs of people with disabilities who require intensive developmental input in preparation for further training or employment. Skill Base was running in 104 training centres throughout the country in 1992.

Specific Skill Training: training at apprenticeship level is provided in woodworking and light engineering. Other areas of skill training include for example, computer programming, graphic design, office procedure, horticulture and catering. Overall, there are approximately 4,200 people with disabilities in training throughout the country.

Sheltered Work: within community workshops long-term sheltered work is provided for any disabled person who does not have the capacity to cope with the demands of the open labour market.

Accreditation: during 1992 NRB vigorously pursued its aim of establishing standards for services for people with disabilities, beginning with vocational training services. The Standards Working Group, comprising nominees from DFI, NAMHI, the Federation of Voluntary Bodies providing services to people with mental handicap, the Forum of People with Disabilities, subject experts and NRB staff met frequently during the year to draw up a draft Standard for Vocational Training. This Standard was approved by the Board of NRB in April 1993.

Training of Trainers: NRB, in conjunction with St. Patrick's College, Maynooth, developed a foundation level Certificate Course in Training (Special Needs). In 1992 the first 60 people joined the course, which lasts for one academic year.

Certification: NRB is committed to ensuring that the skills training of people with disabilities results in formal certification of achievement. The process of implementing this commitment began in September 1992 with the appointment of a certificate co-ordinator to concentrate primarily on developing appropriate linkages with the nationally recognised accrediting bodies.

Financial resources

State subvention, European Social Fund grants and private fund-raising (in the case of voluntary organisations).

The State contribution to running costs will usually take the form of capitation fees paid in respect of each client and a contribution to transport costs of trainees. The State normally contributes to

capital costs also. These contributions are in addition to allowances paid by the State to each disabled person.

Institutional support

NRB works closely with statutory and voluntary organisations engaged in the provision of services for people with a disability

Duration

Ongoing.

Effects

See IRL-vi.9, above.

CHAPTER IV INFORMATION AND RESEARCH

1. The Central Statistics Office (CSO)

CSO is a government office which collects, compiles, analyses and publishes statistics relating to the various aspects of the social and economic life of the country. The sources of employment data published by the CSO are:

- (i) Census of Population;
- (ii) Labour Force Surveys;
- (iii) Registered Unemployment, for which the following analyses are carried out:
 - monthly analysis of Live Register by area and sex which includes details of the numbers of persons under 25 years of age registered as unemployed. Also provided are a seasonally adjusted series, and the Live Register total as a percentage of the estimated total labour force;
 - quarterly analysis by age-group, area and sex; for two of the quarters the information collected is expanded to incorporate an analysis by duration of continuous registration;
 - other analyses: industrial analysis which includes information concerning flows on and off the Live Register in the preceding month (monthly); an occupational analysis (quarterly); and an analysis by area of residence (quarterly).

2. Department of Enterprise and Employment

The Department of Enterprise and Employment through its research budget commissions outside bodies such as the ESRI (Economic and Social Research Institute), Universities, etc. to undertake research projects on various aspects of the labour market on its behalf. The Department also finances the annual School Leaver's Survey which is conducted in co-operation with the ESRI. This survey gives information on the employment status of young people who have left second-level education in the preceding year.

The Department of Enterprise and Employment will publish an annual report of its activities similar to the report published in previous years by one of the Departments from which it was formed, the Department of Labour. This will give a comprehensive review of policy developments, as well as outlining progress in the delivery of the Department's programmes.

The Department of Enterprise and Employment monitors and evaluates, on an on-going basis, the various manpower programmes operated by FAS. Management data systems have been introduced which facilitate the regular monitoring and review of all programmes. This is supplemented by in-depth evaluations of selected programmes which enable detailed assessments of their effectiveness to be undertaken.

3. FAS – the Training and Employment Authority

FAS has responsibility for the dissemination of information on the services which it provides. FAS also undertakes, in consultation with the Department of Enterprise and Employment, research on matters relevant to its activities.

4. National Economic and Social Council (NESC)

The Council is a state-sponsored body established in November 1973. Its main task is to provide a forum for discussion of the principles relating to the efficient development of the national economy and the achievement of social justice, and to advise the Government, through the Taoiseach (Prime Minister), on their application. In this way it is intended that the Council should have an important input into the formulation of policy at the macro level.

Reports produced by the Council are submitted to the Government, laid before each House of the Oireachtas (Parliament) and then published. Over eighty reports on a wide variety of economic and social topics have already been published by the Council, including a major report on "Manpower Policy in Ireland" published in December 1985. The Council also regularly produces reports on overall economic and social strategy, the most recent being Strategy for Development 1986-1990.

5. The Economic and Social Research Institute (ESRI)

An independent, non-profit-making body set up in 1960, the ESRI works to increase knowledge of the social and economic conditions of society with particular reference to Ireland. It is essentially a research organisation, with its own specialist staff conducting research in close co-operation with the Universities and those other organisations, such as the Department of Enterprise and Employment, which may commission projects.

Since its foundation the ESRI has prepared at regular intervals a plan of research for the following five years. All research by Institute staff is undertaken with a view to publication. The Institute's main publication series are:

- General Research Series;
- Broadsheet Series;
- Policy Research Series; and
- Quarterly Economic Commentary.

The Institute has also evolved a training role to increase the stock of qualified economic and social research workers in Ireland and to provide a base for visiting scientists from outside Ireland.

Appendix 1: Abbreviations

Bord Failte	Irish Tourist Board
CEB	County Enterprise Board
CEDP	Community Employment Development Programme
CEP	Community Employment Programme
CEDEFOP	European Centre for the Development of Vocational Training
CERT	Council for Education, Recruitment and Training in the hotel and catering industry
CSF	Community Support Framework
CSO	Central Statistics Office
Dail	Lower house of parliament
Eolas	Irish Science and Technology Agency
ESRI	Economic and Social Research Institute
FAS	An Foras Aiseanna Saothair – the Employment and Training Authority
Fianna Fail	Political party
Foras Aiseanna Saothair	FAS
Forbairt	Agency for the development of indigenous industry and technology – see also Forfas and IDA Ireland
Forfas	Industrial development agency responsible for policy and co-ordination – see also Forbairt and IDA Ireland
IBEC	Irish Business and Employers Confederation
ICTU	Irish Congress of Trade Unions
IDA Ireland	Industrial development agency responsible for development of non-indigenous industry in Ireland – see also Forfas and Forbairt
InforMISEP	Quarterly Bulletin of the MISEP system
JLC	Joint Labour Council
JIC	Joint Industrial Council
MISEP	Mutual Information System on Employment Policy
NAMHI	National Association for Mentally Handicapped of Ireland
NESC	National Economic and Social Council
NET	Nitrogin Eireann Teoranta (state owned enterprise)
NRB	National Rehabilitation Board
OECD	Organisation for Economic Co-operation and Development
Oireachtas	National Parliament consisting of Dail and Seanad
PCW	Programme for Competitiveness and Work
PESP	Programme for Economic and Social Progress
Seanad	Upper House of parliament
SFADCo	Shannon Free Airport Development Company
SIPTU	Services Industrial Professional Technical Union
SWLO	Social Welfare Local Office

Taoiseach	Prime Minister
Teagasc	Agriculture and Food Development Authority
UA	Unemployment Assistance
UB	Unemployment Benefit
Udaras na Gaeltachta	Development agency for Gaeltacht (Irish speaking) communities
VTOS	Vocational Training Opportunities Scheme

Appendix 2: National Correspondents

Belgium

Joseph Remy, Ministère de l'Emploi et du Travail

Denmark

Karen Thrysoe, Arbejdsministeriet

Germany

Jochen Jahn, Bundesministerium für Arbeit und Sozialordnung

Detlef Hein, Bundesanstalt für Arbeit

Greece

Ekaterini Kritikou, Ministry of Labour

Spain

Delmira Paz Seara Soto, Ministerio de Trabajo y Seguridad Social

Finland

Tuuli Raivio, Ministry of Labour

France

Henri Roux, Ministère du Travail, du Dialogue Social et de la Participation

Claudine Elhaïk, Agence Nationale pour l'Emploi

Ireland

Frank Doheny, Department of Enterprise and Employment

Italy

Mariarosaria Damiani, Ministero del Lavoro e della Previdenza Sociale

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Mats Wadman, Arbetsmarknadsdepartementet

Palle Landin, Arbetsmarknadsstyrelsen

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Graham Archer, Department of Education and Employment

John Frankham, Employment Service

European Commission

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