

Workplace Relations Commission

STRATEGY STATEMENT 2022-2024

Meeting Stakeholder Expectations
in a Changing World of Work

WRC

An Coimisiún um Chaidreamh san Áit Oibre
Workplace Relations Commission

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**Presented to the Minister of State for Business,
Employment and Retail, in accordance with section
21 (1)(b) of the Workplace Relations Act 2015**

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Introduction

The Workplace Relations Act 2015 charges the Board of Workplace Relations Commission (WRC) to submit a statement of strategy to the Minister every three years.

This strategy statement “Meeting Stakeholder Expectations in a Changing World of Work” represents the third strategy statement since the establishment of the WRC on 1 October 2015.

Separately, the Workplace Relations Act 2015 requires that all WRC strategy statements contain a review of the implementation of the immediately preceding strategy statement. This review is set out in Appendix 2.

Purpose of the WRC

The main functions of the WRC are to:

- Promote the improvement of workplace relations, and the maintenance of good workplace relations,
- Promote and encourage compliance with relevant employment legislation,
- Provide guidance in relation to compliance with Codes of Practice,
- Conduct reviews of, and monitor developments, in workplace relations generally,
- Conduct or commission relevant research and provide advice, information and the findings of research to Joint Labour Committees and Joint Industrial Councils,

- Advise the Minister for Enterprise, Trade and Employment in relation to the application of, and compliance with, relevant legislation, and to
- Provide information to the public in relation to employment legislation (other than the Employment Equality Act)¹.

Within this framework, the Commission’s core services include the provision of pre-adjudication mediation, mediation, conciliation, facilitation and advisory services, adjudication on complaints and disputes, the monitoring of employment conditions to ensure compliance with and (where necessary) enforcement of employment rights legislation, the provision of information, and the processing of employment agency and protection of young persons (employment) licences.

WRC Vision and Values

VISION

Being a World Leader: Delivering Fair and Compliant Workplaces and the Non-Discriminatory Delivery of Services

VALUES

Trust, Independence, Impartiality, and Innovation

1. EEA information provided by the Irish Human Rights and Equality Commission

The World of Work: Strategy Context

Over the period of the Strategy Statement 2019-2022, while its fundamental purpose and the services it provides remain unchanged, the WRC has dealt with broad operational and structural challenges and has been required to respond agilely to what has proved a sometimes challenging economic, social and statutory environment.

Since its establishment in 2015, the world of work within which the WRC operates has changed substantially:

- The withdrawal of the United Kingdom from the European Union is impacting and will continue to reshape the Irish economy for the medium-term,
- Apart from its profound effect on people's lives, the short and medium-term impact of Covid-19 on the world of work is apparent and has already prompted policy and business responses,
- Technological innovation and remote working are changing workplace relationships and relations, present challenges and opportunities for employee and employer representatives and have implications for workplace dispute resolution, adjudication and regulation bodies,
- The growth of social media and its potential reach and influence presents opportunities and challenges for all parties working to improve workplace relations, and
- The legislative framework within which the adjudicative service of the WRC must function has changed.

Looking to the medium-term, a number of broad assumptions about the next three years are reasonable:

- The societal impact of the pandemic suggests a return to what was conceived as normal working pre-Covid-19 will be graduated and will likely comprise some form of blended distance and on-premises working. Similarly, virtual engagement will continue to be a feature of WRC service provision.
- An accommodative monetary policy may continue unless there is evidence of sustained increasing inflation,
- Achieving a transition to a low carbon economy is likely to become a key focus of public policy with challenging implications for the workplace,
- More persistent effects of the pandemic will be apparent in employment generally and in some sectors of the economy, and
- Possible policy developments with regard to employment rights or industrial relations.

Key Strategic Elements 2022-2024

As stated earlier, this changing and challenging operational environment notwithstanding, the WRC's core purpose and the broader statutory framework within which it functions, has remained largely unchanged since establishment.

In this context, the WRC will maintain and build on its strong foundations but will continue to innovate, refine and reshape its services, identify and share good practice.

The WRC will seek to achieve its broader vision through three strategic aims:

1. Resilience and Continuity
2. Continuous Improvement
3. Assisting Adaptability

1. Resilience and Continuity

The pandemic stress tested the WRC at a relatively early stage of development and placed extraordinary pressure on senior management and staff at all levels. Further stresses may be expected arising from paradigm shifts in technology development, heralding what has been referred to as the fourth industrial revolution,² changing economic and supply chain dynamics and the policy responses required to address climate change. No less than any other state body the WRC must build resilience to cope with external shocks and circumstances.

The expectation of WRC stakeholders and users is that, notwithstanding occasional external shocks, the WRC can be depended upon to meet their needs for timely, consistent, robust, and independent services in accordance with our vision and statutory functions.

The reputation of the WRC is contingent on continuing to provide an excellent quality service. It has quantitative (timelines, case throughput, activity levels, etc.) and qualitative (consistency, decisions accepted, resolving disputes, heightening compliance, etc) dimension and consistency in both should be such that HR practitioners, union officials and legal representatives should be able to predict reasonably accurately how the WRC will respond in any particular set of circumstances.

Crucial to the success of the WRC is its people, their commitment, professionalism and knowledge. Over the period of the Strategy, similar to the labour market generally, the WRC will see a high level of churn as experienced staff at all levels leave the organisation.

Since the last strategy statement, and not envisioned in it, the WRC service delivery model has been radically altered and expanded by environmental and legislative impacts; its adjudicative service is now involved in the administration of justice and must adjust its internal culture and administrative procedures accordingly, and the WRC generally is pivoting to deal successfully with what is a radically changed social environment while still delivering the core services expected of it by its stakeholders.

In these very challenging circumstances, and to deliver on the broad strategic goals set out in this Strategy, it is critical that the WRC has the appropriate senior management structure, staff, resources, and overall operational agility to meet service demand and external challenges and develops and implements the targeted succession planning and associated recruitment and learning and development programmes required to meet current and future business needs.

2. The first Industrial Revolution, driven by steam, began in Britain after the 1750s. The second Industrial Revolution began in the 1860s, when oil, gas and electricity were harnessed to power industry and transport. The third is associated with the arrival of computers in the 1960s. The fourth Industrial Revolution is being driven by technologies such as artificial intelligence (AI), robots, drones and 3D printing. It could redefine the very nature of work.

Over the next three years, the WRC will provide a supportive environment for its staff and will develop its people to give them the skills and capability to deliver professional excellence to its users and stakeholders.

2. Continuous Improvement

The WRC will continue to look for ways to improve the effectiveness, the efficiency, and the quality of services that it delivers.

In this regard, the WRC will use data, knowledge, insight, networks of similar bodies, and technology to improve its services, facilities, and corporate functions so that they are relevant and responsive to the needs of its users, and that changes and services are delivered at pace and reflect shifting challenges and priorities.

Specifically, the WRC will use technology and investment in digitally provided services to reach a wider audience through webinars and e-learning, guidance on the website and engagement in social media.

It will also devise and implement an ICT Strategy that is informed by changing demand and the technological support environment including the development of self-service and automation that provides the best remote-user experience possible and that provides real-time targeted management analytics to enhance service delivery. Robust system architecture and procedures designed to mitigate external “cyber” risk as much as possible is a key element of the ICT Strategy.

The WRC will provide an appropriate mix of remote, hybrid and in-person services that balances or takes into account the needs of users, stakeholders, and the requirement for robust decision making, independent and effective dispute resolution, compliance with employment rights and the maintenance and improvement of workplace relations generally.

The WRC will continue to provide free, accurate and easily accessible information to both workers and employers. In terms of inspection and compliance, the WRC will also identify and monitor employer behaviour and robustly intervene as appropriate.

Separately, the WRC will invest in its staffing resources to grow its advisory and training services particularly in relation to on-line delivery and will reshape the individual dispute resolution service to provide robust adjudications in line with the Supreme Court decision in *Zalewski* and the subsequent Workplace Relations (Miscellaneous Provisions) Act 2021 and to provide the enhanced mediation service that WRC users have indicated that they want. In addition, the WRC will introduce and roll-out professional qualifications for relevant WRC field and operational staff.

In line with established principles and section 42 of the Irish Human Rights and Equality Act 2014, the WRC places a strong emphasis on the right to fair procedures, the right to privacy, equal access and equal treatment in all aspects of the services provided. In addition, the policies and practices relevant to people who use the services of the Commission will be kept under review to ensure compliance with human rights and equality norms. Similarly, the WRC will work to ensure that the dignity and welfare of all staff is protected, and a culture of participation and respect is encouraged. The human rights and equality issues affecting staff include the right to fair procedures, the right to privacy, equal access, equal treatment and dignity in the workplace.

In looking at the efficacy of its statutory functions the WRC will also seek to feed into its continuous improvement programme through medium and long-term measurement of the impact of the WRC on workplaces and workplace relations generally.

3. Assisting Adaptability

In terms of its adjudicative function, the Supreme Court judgement in the *Zalewski* case has presented a significant challenge for the WRC. The purpose of the WRC is to resolve workplace issues while avoiding damage to the employment relationship as far as possible and, in terms of its adjudication service, to do so in a manner that is compatible with the administration of justice in line with article 34 of the Constitution. The WRC will strive across all its activities, to provide a user-friendly, independent and efficient service, that enables parties to resolve disputes and achieve compliance in as non-adversarial and proactive a manner as possible.

It is broadly accepted that the pandemic will have a long-term bearing on the future of work, not just in terms of working from home or by way of some kind of hybrid work but also on workplace relationships and workplace relations more generally. Separately, the nature of work itself is changing and the broader impact of digital platforms, algorithms, artificial intelligence are very much apparent. In fact it is plausible to posit that, over the life span of this strategy statement, the implications of the fourth Industrial Revolution and transition to a low carbon economy will begin to impact on the workplace.

These developments, as well as shifting economic challenges, have prompted discussion around policy responses. In its role of maintaining and improving workplace relations generally, the WRC will contribute to the development of knowledge on the changing nature of the world of work by way of occasional papers, in-depth research and associated seminars and biennial conferences.

The WRC will work collaboratively with similar organisations in the United Kingdom (e.g. Labour Relations Agency, Advisory Conciliation and Arbitration Service, Gangmasters and Labour Abuse Authority) and the EU in areas of joint interest such as research and operations generally (e.g. European Platform on Undeclared Work and the European Labour Authority).

In addition, the WRC, mindful of the effective use of resources, will work with stakeholders and parties, to develop and implement best practice and communicate key messages to stakeholders around the remit of the WRC and its services via the WRC website, social media and webinars.

Conclusion

The Covid-19 pandemic has impacted the world of work in a manner not seen before. Not all sectors or jobs have been affected to the same degree, but all have changed to a greater or lesser extent. This has implications for bodies such as the Workplace Relations Commission who have adapted and must continue to adjust internally in terms of resources, technology and staffing but most crucially, externally, in the manner in which it carries out its regulatory and statutory functions, whether it be information provision, dispute resolution, employment rights adjudication or inspection and compliance.

This Strategy addresses these challenges but also looks beyond the immediate impact of Covid-19 and lays the steps for the Workplace Relations Commission to follow to ensure it delivers its broader statutory remit while continuing to innovate, improve, refine and reshape its services.

Appendix 1

Workplace Relations Commission Strategic Plan 2022-2024

Resilience and Continuity	Continuous Improvement	Assisting Adaptability
What We Will Achieve	What We Will Achieve	What We Will Achieve
Meet demand for timely, consistent, judicially robust, independent services in accordance with our statutory functions and our vision.	Improve our people, systems, and procedures to improve the quality of our service.	Assist our stakeholders in dealing with economic and social change and challenge.
How We Will Achieve It	How We Will Achieve It	How We Will Achieve It
<p>Meet annual Work Programme process timelines and quality standards.</p> <p>Ensure that the WRC is resourced and structured as appropriate, and internally agile, to meet demand fluctuations across all its services.</p> <p>Succession planning, recruitment and learning and development fully targeted to meet current and future business needs.</p> <p>Improve individual and organisational performance.</p> <p>Provide a supportive working environment for staff.</p> <p>Provide an appropriate mix of remote and on-premises working in line with broader Government policy that supports the optimal delivery of services and individual staff circumstances.</p>	<p>Provide an appropriate mix of remote, hybrid and in-person services that balances or takes into account the needs of users, stakeholders, and the requirement for robust decision making, independent and effective dispute resolution, compliance with employment rights and the maintenance and improvement of workplace relations generally.</p> <p>Devise and implement an ICT Strategy that is informed by the changing demand and technological support environment including the development of self-service and automation that provides the best remote-user experience possible and that provides real-time targeted management analytics to enhance service delivery.</p> <p>Identify medium and long-term instrument to measure the impact of the WRC on workplaces and workplace relations generally.</p> <p>Introduce and roll-out professional qualifications for relevant WRC field and operational staff.</p> <p>Develop and roll-out WRC on-line advisory and training modules to improve workplace relations best practice.</p>	<p>Contribute to the development of knowledge and debate on the changing nature of the world of work by way of occasional papers, in-depth research and associated seminars and biennial conferences.</p> <p>Communicate key messages to stakeholders around remit and services via website, social media and webinars. Develop Codes of Practices as required.</p> <p>Work with stakeholders and parties to develop and implement best practice generally.</p> <p>Regional service delivery model and community stakeholder relationship.</p>

Appendix 2

Strategy Statement 2019-2022: Review

The strategy statement *Fair and Compliant Workplaces and Equal Treatment in Services* encompassed the three calendar years from January 2019 to January 2022.

While much of the work envisaged in the statement has been completed or progressed significantly, the paramount requirement for the WRC over much of that period was to adapt and pivot successfully, its work processes and service delivery models as an immediate and longer-term response to Covid-19. However, the agility and innovation required of the service areas, supported by the corporate and legal staff, has meant that elements of the strategy are further advanced than might have been the case, and novel service developments, not envisaged in the strategy, have been introduced.

The strategy identified six key strategic delivery components: service excellence, outreach and prevention, communications and engagement, leveraging technologies, data and measurement, and people and structure.

Service Excellence

Covid-19 impacted the ability of the WRC to deliver dispute resolution in person and it required most of the other services of the WRC to be provided “virtually” or differently from the manner envisaged in the Statement.

Nonetheless, the WRC Infoline managed to provide an almost uninterrupted service to callers (over 53,000 in 2020 and 55,000 in 2019), the conciliation service met all demand in a timely manner and mediation was provided in most instances where the parties agreed to mediation and where the dispute was amenable to resolution.

From an adjudication perspective, the service had reduced the median time for processing complaints by 51 calendar days across 2019 and by a further two weeks in the first quarter of 2020. The impact of Covid-19 on scheduling hearings was significant but by early-2021 the number of hearings scheduled weekly had returned to pre-pandemic levels and by end-2021 the number of hearings taking place is 50% higher than that witnessed in 2020. Prior to the Supreme Court judgment in *Zalewski*, the WRC had targeted end-2021 in terms of reaching pre-pandemic levels in terms of cases on hands but the judgment required a substantial number of hearings to be postponed or adjourned pending amending legislation. This legislation has commenced, and the amended target is Q1/Q2 2022.

The Inspection and Enforcement Division concluded over 12,000 targeted inspections in 2019/2020. The Division, in addition to adopting a different and innovative response due the restrictions and challenges posed by the COVID pandemic, have carried out almost 8,000 *Return to Work Safely* inspections by end-September 2021 alongside their statutory employment-related site visits in those premises.

The initiatives witnessed over the period were built on a platform of a culture of continuous improvement and agility which has been successfully embedded across the WRC, both in relation to ICT systems and processes, and staff adaptability.

In terms of customer service, the WRC opened two new offices in Ennis and Cork over the period from where users now enjoy the full suite of WRC services that are in Dublin, Carlow, and Sligo.

The WRC launched its revised website in May 2019: it complies fully with all web standards in terms of the structure, layout and content and follows web standards laid out by the World Wide Web Consortium (W3C) and the Irish National Disability Authority. Further, in 2020 to enhance the user accessibility of the website, changes based on suggestions from the Irish Computer Society in conjunction with the National Disability Authority, were implemented.

Over the period, the WRC invested in ensuring that all its public spaces and meeting rooms comply with occupational and safety standards and, as part of this, facilitate access for people with disabilities and others with specific needs. In addition, work was concluded on the provision of a full suite of information in a range of accessible formats including large print, Braille and audio.

Outreach and Prevention

Over the period of the Strategy, the WRC Inspection and Enforcement Division has been active in working with relevant national and international authorities in addressing worker exploitation or where persons have been recruited from abroad under false pretences.

In this regard, the WRC, in conjunction with An Garda Síochána, the Department of Social Protection and the Revenue Commissioners undertook inspection campaigns focussed on the detection of labour exploitation in the particularly vulnerable sectors as part of a Europe-wide operation. The WRC also worked closely with the European Labour Authority (ELA) including on the Platform for Tackling Underdeclared Work and the EU Fair Work Campaign. The WRC is also a partner in the ELA work on improving access to information and inspection best practice. The WRC also participated in a transnational European Project to enhance administrative cooperation and access to information for Posted Workers and signed a bi-lateral information-sharing agreement with the Portuguese Labour Inspection Authority (ACT).

The WRC also took part in #EU4FairWork, the first EU campaign about the benefits of declared work, with participation of the European Labour Authority which, amongst other objectives, raised awareness amongst workers about their rights, the negative impact of undeclared work and how to make the transition into declared work.

Over the period, the WRC significantly advanced its training service with a view to assisting organisations enhance their capacity to have in place effective industrial relations practices and procedures with a focus on orderly dispute resolution and securing positive working relationships within the workplace. In this regard, programmes were developed and delivered (in-person, virtual and on-line) around all aspects of the employment relationship and all training interventions were customised to the individual needs of each workplace. The programmes delivered included those related to dignity in the workplace, effective utilisation of dispute procedures, resolving conflict in the workplace and effective internal communications.

Communications and Engagement

The aim of the WRC communications strategy is to ensure that the WRC maximises the potential to use both traditional and digital channels to support the strategy statement objectives of “promoting a fair and compliant workplace and equal treatment in services”.

In conjunction with the new website, the WRC launched new Twitter and LinkedIn accounts during the period to harness the potential of social media in supporting stakeholder outreach. By end-September 2021 the WRC Twitter account had just under 2,000 followers and the WRC LinkedIn account had almost 6,000. The WRC has also used a Facebook advertising strategy to support information campaigns in construction and hospitality sectors. In addition, the WRC social media channels have been used to share information updates with the public, particularly in relation to service delivery during Covid-19.

To assist visitors for Face-to-Face hearings in WRC Offices during Covid-19 restrictions, information videos were developed and available on the WRC website and in linked correspondence, to inform all staff and users in relation to premises-specific lay-out and ingress and egress requirements, particularly in relation to hearings in WRC offices in Lansdowne House, Ennis, and Sligo.

Leveraging Technologies

Notwithstanding the work required in pivoting service delivery in response to Covid-19 (primarily obtaining and supplying staff with the equipment to work from home and maintaining pre-Covid-19 service levels and the platforms to allow the WRC to deliver its services “virtually”), the WRC maintained and improved its internal systems and support programs to deliver the WRC *ICT Strategy 2019-2022*.

The WRC developed and rolled out significant business applications on its CRM technology platforms over the period to support its operations, drive efficiency and effectiveness and inform decision-making.

A novel Inspection and Enforcement Application, ERCES, was rolled out which allowed the WRC produce ‘real-time’ information on the management of the inspection and enforcement process, enhances operational efficiency and effectiveness and further drives employment rights compliance. It was of particular value in ensuring inspections proceeded during Covid restrictions as it obviated the need for physical copies of relevant documentation.

A new case management system for Mediation Services was developed and rolled out, delivering enhanced management reporting capabilities and case management efficiencies, while a new case management system for the WRC’s Conciliation Services was designed and built. All WRC legacy systems are now retired: usage of the same platform across all Divisions delivers significant administrative, storage and process efficiencies

Progress was made in terms of customer-interfaces and process automation via the Department of Public Expenditure and Reform *Our Public Service 2020 (OPS2020)* framework agreement. The service priorities of Covid-19 have impacted on the project but the first iterations in terms of e-complaint form and customer case tracking are targeted to come on stream in early-2022.

Work on a hybrid model of service has been initiated which will allow the WRC to provide a combination of virtual and remote hearings with evidence sharing capability; to allow for full compliance with public health guidelines, flexibility for individual party's needs, and the attendance of the public to ensure full transparency in the administration of justice as well as potential efficiencies in resource scheduling, improved attendance rates and reduced associated expenses for parties and the WRC.

A redesigned website for the WRC was launched in May 2019 the purpose of which is to deliver a significantly enhanced user experience and create separate online identities for the WRC and the Labour Court. As well as being more visually appealing, userfriendly and easier to navigate, it also provides a translation feature, Social Media buttons, Popular Topics and an enhanced Decisions and Determinations search database and stakeholder response was very positive in relation to the upgrade.

Data and Measurement

Over the period the WRC developed standardised reporting models that are utilised to measure and track resources, activity and processes; these models are central to the efficient and effective management of the WRC and are the basis on which the WRC reports more broadly to the Board, the Minister and stakeholders generally.

The content platforms and other analytical tools introduced over the period provide real time data on individual cases, case management more broadly and are interrogated to provide trend analyses by issue, sector, region etc.

These platforms and tools are central to a pilot programme currently underway in relation to improved targeting of inspection and information activity by sector(s) and location(s).

People and Structure

The senior management structure of the WRC was re-aligned to reflect and support the Strategy Statement objectives, while the overall resources of the WRC and several Divisions were increased to address strategic priorities and demand (ICT, Adjudication, Legal). In addition, two further tranches of External Adjudicators were selected over the period of the Strategy, while the Inspection Division will witness significant resource growth over the period of the Strategy Statement 2022-2024.

The cross-Divisional and functional response to the immediate and pressing demands of Covid-19 reflected the agility and broad knowledge base of the WRC developed since establishment which ensured that staff and resources could be directed to areas of immediate need.

In this regard, timelines for progressing cases/ complaints/issues submitted to the WRC became elongated in some instances. The aim of the WRC is to return to pre-Covid-19 levels by early-2022 and to meet the targets set out on the previous strategy by 2023.

The WRC has invested strongly over the period in the upskilling of its staff and the onboarding and development of new staff (in some years the WRC witnessed a turnover of some 25% of staff). New staff and more experienced staff in relevant Divisions also participate in third-level courses in mediation, adjudication, communications, and corporate governance. For example, the Legal Division has produced a comprehensive handbook for staff of the WRC on employment law which will also be of assistance to Adjudication Officers. This is made available to all staff as part of their introduction to the WRC on commencement.

The WRC, through bi-annual staff surveys has worked with staff in identifying areas of key concern and working with staff to address them. The impact of Covid-19 has brought with additional challenges and the WRC has met these through the ongoing co-operation and collaboration of all its staff. Most work practices were reviewed and developed to meet the ongoing challenges presented by the new restricted work environment and the staff played a significant role in terms of the innovation and agility required.

The WRC's staff e-zine, "The Works", launched over the period of the Strategy; it is a collaborative publication containing business and social contributions from both management and staff.





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