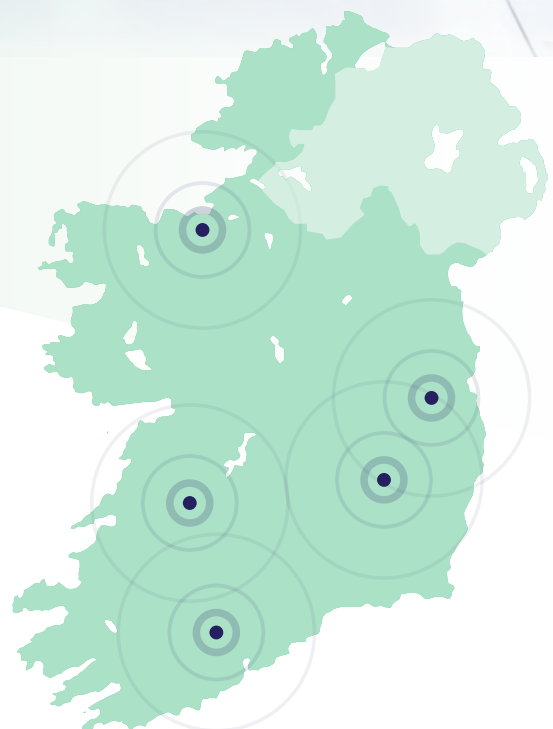


Statement of Strategy 2016-2018

WORKPLACE RELATIONS:

Assisting the Recovery
in a Changing and Challenging Environment



WRC

An Coimisiún um Chaidreamh san Áit Oibre
Workplace Relations Commission

Statement of Strategy 2016-2018

WORKPLACE RELATIONS:

Assisting the Recovery
in a Changing and Challenging Environment



CONTENTS

STATEMENT OF STRATEGY

Foreword	2
Background	5
Vision	6
Strategic Objectives	6
Strategic Requirements	7
Irish Human Rights and Equality Act 2014	17
Strategic Focus – 2016	18
Strategic Objectives - Measuring Success	19

FOREWORD

Ireland has come through a period of major political and economic transformation and change. These changes are reflected also in the significant developments in member countries of the European Union, most particularly in the Eurozone area, and in other global economies.

The Workplace Relations Commission (WRC), whose central policy and activities are primarily concerned with accommodating competing interests in facilitating and assisting workplace change, and creating an environment of equity and fairness in employment, plays a key role in contributing to the overall architecture of economic and social investments.

Specifically, the collective and specialist services of the Commission all play a vital role in contributing towards industrial peace, maintaining and sustaining enterprise productivity and engaging with employers and trade unions on issues of employee pay and rewards. Securing fair, impartial and effective employment rights adjudication services and appropriate and essential employment standards and enforcement are vital and important components of the strategic operations of the Commission.

Since its establishment on 1 October, 2015, the WRC has focused on meeting the Government's fundamental goal of having in place a world-class workplace relations service which is simple to use, independent, effective, impartial and cost-effective, in order to provide for workable means of redress and effective enforcement within a reasonable period and to reduce costs to business.

In that time, the Commission has made key appointments to its management team, submitted its Work Programme for 2016 to the Minister, agreed the comprehensive cross-Divisional Business Plan 2016, and continued to provide effective dispute resolution services, implemented the newly-established Adjudication Service and put in place the revised Inspection and Enforcement arrangements.

This is the first Strategy Statement of the Board of the Workplace Relations Commission. The Commission envisages providing "in time" key dispute resolution services across the spectrum of the highly diversified Irish private and public service economy and in the social provision sector as a key strategic objective.

The services of the Commission must be innovative, professional and independent and must work in tandem, and with the support of, key institutional actors – Government, employers and trade unions. The Commission will continue also to build and sustain a positive working relationship with the legal profession, citizen advice centres and other relevant groups as part of a more diversified service provider network given its extensive new remit under the Workplace Relations Act, 2015.

The period of the Commission Strategy Statement - "Workplace Relations: Assisting the Recovery in a Changing and Challenging Environment" - covers the timeframe of 2016 through to 2018. This is clearly a period in which it is expected that we will continue to experience some fundamental and significant changes in our private and public sectors employment profile and where issues of change management, competitiveness, productivity, pay/reward, and continuing public service reform will be to the fore in our economy and political decision making agenda.

To achieve these objectives in a constructive, fair and equitable manner requires a re-evaluation and re-assessment of the ways we work. In continuing to meet these transformative changes, and most importantly, in facilitating and underpinning existing and new forms of management/employee engagement, the mechanisms we adopt must be innovative and successful. This will involve re-evaluating and reviewing the mechanisms we use to avoid and resolve both disputes of interest and of rights whenever they arise in our workplaces.

These developments present significant challenges and opportunities, not only for the statutory dispute bodies – the Workplace Relations Commission and The Labour Court – but also for the Government, the employer/employee representative bodies, and for individual enterprises and their managers and employees.

The Statement is also framed against the backdrop of Government policy relating to employment. A key objective articulated in the Statement of Strategy 2015-2017 of the Department of Jobs, Enterprise and Innovation is the Minister's desire to:

- build on the progress achieved in recent years,
- align the Department's goals with the improved circumstances arising from the turnaround in Ireland's economy,
- deliver services in the most streamlined and efficient manner, and

- encourage high standards of compliance, quality employment, and consumer protection without unnecessary regulatory costs.

Furthermore, Enterprise 2025 identifies the requirement that Ireland's employment legislation and industrial relations architecture remains fit for purpose and is grounded on evidence-based research and data collection and new forms of work and workplace innovation.

The Minister, in establishing the Commission, set it the challenge of quickly becoming a world-class workplace relations body. This Statement of Strategy reflects this ambition and is fashioned to ensure delivery of real-time, cost-effective, high quality services to all our stakeholders.

The WRC in this regard, is somewhat unique: it is responsible for a broad suite of services and activities ranging across early resolution and mediation of individual rights and interest disputes, through conciliation of collective and individual disputes, providing advice and pro-active dispute prevention interventions, providing information on rights and obligations, adjudicating on individual employment rights complaints and driving compliance with employment rights legislation and enforcing it where required. In addition, the WRC is charged with conducting and commissioning research on matters pertaining to workplace relations generally in order to evaluate workplace change and providing evidence based knowledge to inform policy, programmes and legislation.

In any context, delivering a world class service across such a range of activities is challenging: in the context of a newly-established organisation and a rapidly-changing economy, this is especially so. It is a challenge the WRC welcomes and intends to meet.

In preparing this Statement, the input of the staff has been particularly significant: much of that input is reflected in the Strategy while other, non-strategic, issues identified are being addressed in forthcoming policy and procedural initiatives and which will be rolled out over the next twelve months.



Dr. Paul Duffy
Chairperson



Kieran Mulvey
Director General



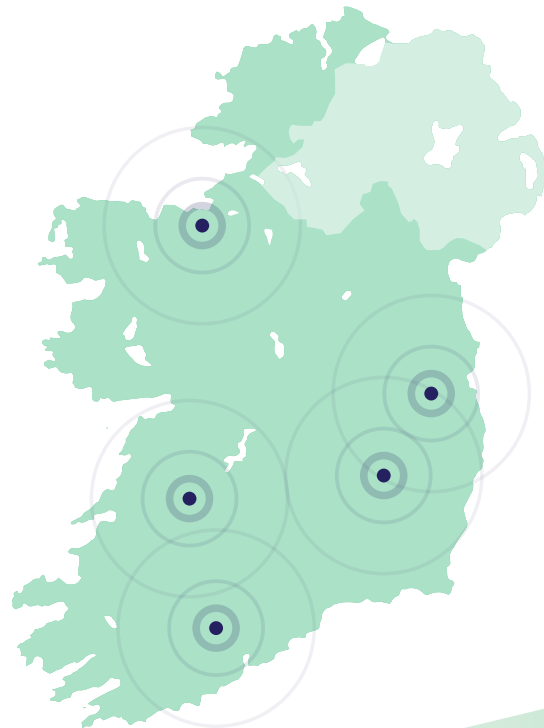
BACKGROUND

The Workplace Relations Act 2015 was the most far-reaching legislative reform in the area of employment and industrial relations in almost 70 years. The bringing together of the functions formerly delivered separately by the Labour Relations Commission, the Rights Commissioners Service, the Equality Tribunal, the Employment Appeals Tribunal and the National Employment Rights Authority, has been, and continues to be, a significant challenge. Nonetheless, the WRC is now established and operational.

We have the mechanisms in the simplified and unified structures of the WRC to assist employers and employees to avoid disputes and to resolve them quickly and efficiently. We have in place highly-trained and efficient officers working in the areas of information provision, advisory, conciliation, mediation, and adjudication. We have an inspection and enforcement approach that encourages compliance but which also carries significant penalties where that compliance does not occur.

With offices in Dublin, Carlow, Shannon, Cork and Sligo, and operational bases in many other counties, the WRC delivers a quality customer service throughout Ireland and which is free of charge. Our Information Service provides individual advice on employment rights and industrial relations and our website provides advice and client interactivity on a continuous basis throughout the year.

The Statement of Strategy (supported by annual Work Programmes) aims to utilise fully and develop further these resources and structures over the period 2016-2018 to deliver on the Minister's objective of putting in place a "world class" workplace relations organisation.



VISION

The fundamental focus of the Statement of Strategy is to deliver on the Minister’s stated objective that the WRC be a “world class” workplace relations body. This objective has informed, and will continue to inform, our strategic business and operational activities now and into the future.

To meet this challenge, the vision of the WRC is to:

Deliver a World Class, Impartial, Fast, Efficient,
High Quality Service to our Customers.

STRATEGIC OBJECTIVES

This Strategy is designed to ensure, over the next three years, that the WRC meets the standard the Minister has set for us, that our activities are fully reflective of our vision, that we enjoy the confidence and respect of our stakeholders, that we have achieved brand recognition around our services offer and

activities, that we are continuously innovating, learning, and improving, driving value through technology and processes, developing the skill sets of our people and ensuring that our corporate governance is of the highest standard.



STRATEGIC REQUIREMENTS

To deliver on our medium-term objectives we will:

- **Promote orderly collective bargaining**
 - Promote orderly collective bargaining in the private sector
 - Facilitate resolution of collective disputes in the public sector
 - Assist in structuring a public sector pay framework
 - Incorporate civil servants into the broader workplace relations framework¹
- **Consolidate the Workplace Relations Commission**
 - Achieve an internally recognised WRC culture and brand
 - Instigate a talent management and skill development strategy
 - Ensure robust corporate governance around delivery of services
 - Drive value through technology
 - Enhance customer service delivery
 - Achieve Customer Brand Recognition
- **Enhance dispute resolution service and delivery**
 - Develop further and deliver an expert suite of dispute resolution services
 - Operate the industrial relations resolution process to a recognised high standard and enhance the process of orderly collective bargaining
 - Support the public sector in a time of challenge and change
- **Provide highest quality, “real-time”, adjudication**
 - Deliver fast, efficient, and effective throughput of cases through registration, hearing and decision
 - Ensure High Quality and Consistency of Decisions
 - Triage complaints away from the Service where appropriate
- **Drive employment legislation compliance**
 - Promote and enhance awareness of employment law and be the “go-to” service for such information
 - Promote and work to achieve compliance with employment law
 - Inform the policy debate on emerging employment patterns
 - Adopt a robust approach to prosecution of contraventions of employment legislation
- **Develop and enhance enterprise-level workplace relations**
 - Enhance and broaden the remit of the Frequent Users Programme
 - Promote positive workplace relations
 - Broaden the assistance provided in the resolution of individual grievances and disputes

¹If the Government so decides

STRATEGIC REQUIREMENTS (continued)

- **Enhance and inform the policy debate through appropriate research on workplace relations developments**
 - Identify areas of policy concern and input to policy formulation
 - Publish regular Commentaries/Data on WRC activities
- **Involve our stakeholders on operational aspects of the WRC services**
 - Establish and maintain a Stakeholder Engagement Framework
 - Carry out and publish an annual stakeholder awareness and effectiveness evaluation

Promoting Orderly Collective Bargaining

The Commission's activities are primarily concerned with facilitating and assisting workplace change, and creating an environment of equity and fairness across enterprises and employment, all of which play key roles in contributing to the development of economic and social growth. The Board is very much of the view that the work of the WRC can contribute significantly to assisting Ireland's economic recovery across significant sectors of the Irish economy.

Promoting orderly collective bargaining in the private sector

Being able to assist employers and trade unions to bring difficult and complex negotiations to a successful conclusion and maintaining industrial peace, while retaining and enhancing the internal capacity of the WRC to achieve this objective is of critical importance. And, given the current economic outlook,

preserving orderly pay bargaining in the context of overall competitiveness and fiscal sustainability will be a challenge. This challenge is all the greater because the EU has responded to the European economic and fiscal crisis and the euro crisis in particular by developing a new economic governance regime that involves detailed oversight of pay, fiscal budgets, and public expenditure. In this regard, the Macroeconomic Imbalance Procedure stipulates that there should not be more than a 9 percentage point increase in unit labour costs over a three year period. As the economic recovery gathers pace, without some oversight or monitoring, increases in Irish unit labour costs could come uncomfortably close to that threshold.

Expectations around substantial pay increases as the recovery gathers pace may lead to trade unions and their members adopting more determined collective and individual bargaining approaches. The WRC will work with all parties to ensure that any discussions or disputes arising are resolved amicably and speedily. In this context, the WRC will work with parties to ensure that dispute resolution procedures and agreements are adhered to.

Facilitating resolution of collective disputes in the public sector

The WRC will also pay particular attention to collective bargaining developments in the public sector. In particular, the State-owned and privatised public utilities, where the Labour Relations Commission (LRC) previously has had ongoing intensive involvement, and who face continuing and accelerating changes in commercial operations and potentially require further restructuring programmes and changes in work practices.

STRATEGIC REQUIREMENTS (continued)

In the public service considerable downward pressure was placed on public sector pay and pensions and extended working hours during the recession. While the Lansdowne Road Agreement will reverse in some aspects the pay and pension cuts and freezes introduced by agreement in 2013, this is unlikely to be the end of the matter. Pressure for further increases in public sector pay is likely to emerge during the period of this Strategy. In this context, Government may have to face a general demand for a restoration of pay to pre-recession levels, and also to pay claims by particular groups of public sector workers seeking to be treated as special cases as the demand for public services grow or labour market pressures emerge in specialised employments.

Again, the WRC will work with all parties to ensure that any centralised discussions or disputes arising are resolved amicably and speedily and within the context of the collective bargaining process of the previous Agreements.

Assist in Structuring Public Sector Pay Framework

As required, the WRC will play an active role in working with senior leaders in the public service, with trade unions and with other stakeholders to help identify the design of an agreed framework for public service pay determination that accommodates both the priorities of public service employers and the objectives of public service users. But, securing orderly collective bargaining is not the only challenge facing the WRC in relation to public sector pay determination.

The WRC is alert to these factors. The development of a new and fiscally sustainable pay fixing model that accommodates public service employers' priorities, public expectation and union objectives will be the pivotal challenge in public service human resource management and industrial relations over the period to 2019 and beyond. The WRC is well positioned to build on the successes of the LRC in brokering three public service agreements, as well as experience in facilitating major change programmes in the public services and elsewhere, to contribute to the development of a sustainable new model of pay determination for the public service. The WRC is committed to assisting in the resolution of what may be the most critically important human resource and industrial relations challenge facing the public service over the period of this Statement.

Incorporating civil servants into the broader workplace relations framework

Section 86(2) of the Workplace Relations Act 2015 provided for the Minister for Public Expenditure and Reform to designate civil servants as "workers" for the purposes of the 1990 Industrial Relations Act 1990. Should the Government so decide, such a decision would mean that all civil servants would have access to the industrial relations machinery of the State, including the Workplace Relations Commission.

A change of status for such employees will have an immediate impact on all services of the WRC be it collective or individual dispute resolution, employment rights adjudication or inspection and enforcement. This is particularly the case where historical issues may be referred alongside those of a more

STRATEGIC REQUIREMENTS (continued)

current nature. The current, ad-hoc arrangements, involving other key public service groups, e.g. Gardai/Army, Civil Servants and Teachers need to be regularised.

In this regard, the WRC faces two challenges:

1. To ensure that it is sufficiently resourced to meet any increased demand, and
2. To engage early with the relevant stakeholders to explore if a managed approach to both demand and structures can be adopted.

Accordingly, the WRC will work to ensure that in the event of such a policy being agreed it will be in a position to meet the anticipated demand.

Consolidating the Workplace Relations Commission

In what is essentially both a start-up situation and an amalgamation of agencies, the WRC is moving quickly to put in place an internal unitary corporate identity and robust corporate governance whilst, at the same time, driving external awareness of the role of the WRC and the services it provides. A number of strategic objectives arise to reflect the above perspectives.

Achieving an internally recognised WRC culture and brand

Strategically, in order to deliver high quality and consistent service to our stakeholders, our staff need to quickly appreciate what it means to be a member of staff of the organisation in terms of management expectations, reciprocal collegiate

support, customer service and the required quality of individual and organisational output. In this regard, we are particularly conscious that external perceptions of the quality of an organisation's employees and interaction with them will have a strong influence on the way the organisation is viewed by its stakeholders. We will ensure that our stakeholders know that they are dealing with experienced and knowledgeable staff whose purpose is to assist all parties.

Much has already been done in this regard. For example, all staff were consulted about and have contributed to this strategy while a cross-functional internal communications group has reported recently.

This will be further progressed through the delivery of the WRC Work Programme, the internal Business Plan and the setting of organisational and individual targets and its success will be monitored through annual staff surveys and organisational and personal performance reviews.

Instigate a talent management and skill development strategy

Within the context of the Department's Human Resource planning, the WRC will develop a human resource policy involving succession planning, coaching, mentoring, the provision of legal advice and training and career development designed to ensure that the WRC has a talent pool sufficient to meet ongoing staff turnover and to give the flexibility to the organisation and its staff to respond quickly to shifting demand patterns across the full range of its activities.

STRATEGIC REQUIREMENTS (continued)

Ensure robust corporate governance around delivery of services

The Corporate Division will develop a strategic approach to ensure that it promulgates clear corporate policies, provides full assistance to colleagues around service delivery (e.g. facilities, accommodation, finance, ICT, and knowledge management) as well as support for the Director General and WRC Board, and assurance to the Accounting Officer regarding compliance with Civil Service Corporate governance requirements.

Drive Value through technology

The WRC has commenced the process of putting in place cross-functional supportive technology to replace pre-existing disparate systems, enhance operational efficiencies, reduce overheads and to provide an enhanced customer experience. This is being rolled out on a phased basis – Phase I has recently concluded. Subject to resource availability Phase II and subsequent modules will be introduced over 2016-2018.

Enhance Customer Service

The WRC will place the needs of users and stakeholders at the very core of service delivery and reduce the administrative burden involved in customer interaction with its services. Much progress has already been made in this regard in terms of the transition to e-business, including the e-complaint facility, the centralisation of information provision, the single workplace relations website and the single Decisions Database which now contains over 33,000 decisions. Such innovations are key enablers to delivering improved workplace relations services and will ensure a strong focus on the customer and better and more innovative use of technology to improve the customer experience.

Achieve Customer Brand Recognition

It is critical for the WRC that our stakeholders have absolute clarity of purpose and information around our activities and services, i.e. what we do operationally and what we have legitimate authority to act upon.

We believe the concept of the Workplace Relations Commission and the “WRC” brand has been already established in the public mind through the extensive use of the term Workplace Relations Commission and “WRC” in the media and in communications from the Commission.

The WRC will develop a comprehensive communications strategy to project the WRC organisational identity and to ensure that all stakeholders and potential customers have a full understanding of the range of services on offer. This strategy will include, *inter alia*, a periodic seminar on WRC activities and matters of particular interest to stakeholders, targeted regional events aimed at regular users of the service (e.g. employer bodies, trade unions, legal profession, citizen information bodies), further developments to the website and the use of local media around past and upcoming WRC activities. It will also require an annual awareness and effectiveness evaluation that will be delivered through a range of mechanisms (customer/general surveys, stakeholder engagement).

STRATEGIC REQUIREMENTS (continued)

Enhance dispute resolution service and delivery

Develop further and deliver an expert suite of dispute resolution services

The requirement to keep industrial relations disputes to a minimum and to provide expert collective dispute resolution is essential towards assisting the economic recovery. The WRC must be able to deliver a variety of expert conflict management services to resolve the large number of individual interest and employment rights disputes. It may involve providing services directly to organisations services such as dispute mediation. It may involve offering those who have started, or who are about to start, a formal grievance the opportunity to resolve their dispute through in-depth mediation or early resolution.

This strategic approach is necessary as building up a comprehensive service in response to the growing individualisation of workplace conflict will ensure that the WRC remains in alignment with the dynamics of modern workplaces. The evolution of these more nuanced alternative dispute resolution processes was well-established in some of the constituent bodies that went to make up the WRC and will form part of the overall WRC strategy over the period of the Statement.

The WRC will continue to respond actively to the needs of employers, individual employees and groups of employees through the work of the WRC and the active promotion of mediation and facilitation services and will ensure that there is the highest quality cadre of dispute resolution staff at all relevant grades. The WRC also will review the pilot “Early

Resolution Service” model with a view to trialling a more efficient and effective in-depth approach to early mediated dispute resolution. The Commission is very conscious that the provision of such services are resource and time intensive.

The WRC will adopt a flexible inter-operational approach to ensure that there is a critical internal mediator capacity to provide these services while striking a balance between capacity and ability to assist parties as quickly as possible. As observed above these services are heavily dependent upon human resources and are, of necessity, time consuming.

Operate the industrial relations resolution process to a recognised high standard and enhance the process of orderly collective bargaining

The conciliation service is a central aspect of the WRC activities and, with the Labour Court, is one of the primary industrial dispute resolution service in the State in terms of its independence, the volume of industrial disputes handled and the demand upon its services for timely intervention in significant and “high profile” disputes affecting individual enterprises and public services.

The service has attained a significant reputation for guiding parties in dispute to successful settlements in what is a totally voluntary process. This well-established and respected service will be maintained and enhanced and its successful operation is a key strategic objective. In this regard, the WRC will ensure that the Service is adequately staffed and that a longer-term workforce planning approach is implemented in view of the proposed extension of its remit to other large groups of public/civil servants.

STRATEGIC REQUIREMENTS (continued)

It will have to be resourced to meet these additional and ongoing demands for service.

Support the public sector in a time of challenge and change

In the shorter-term, as outlined earlier, the WRC will continue to facilitate the resolution of public service disputes and the negotiation of national-level agreements. In the medium-term it is expected that the WRC will deal statutorily with these disputes and, as part of that change process, will support public sector divisions and organisations as they address the major employment relations challenges deriving from the public sector reform agenda and beyond. In this regard, the Commission, recognising that the change process will create significant employment relations challenges for the affected sectors, will support the transition in a structured and focused manner.

Providing highest quality, “real-time” adjudication

The WRC provides an adjudication service for hearing ‘first instance’ complaints under employment rights, industrial relations, equality and equal status legislation. This service encompasses the previous roles of the Labour Relations Commission, the Rights Commissioner Service, the Employment Appeals Tribunal (EAT) and the Equality Tribunal. In addition, complaints that would formally have been submitted to the EAT are now also submitted to the WRC. While the Service is already delivering hearings and decisions more quickly across the broad range of complaints, there are a number of key strategic objectives to be achieved to make the Service a success.

Fast, efficient, and effective throughput of cases through registration, hearing and decision

As a new service, the priority is to ensure no delays in the processing of complaints; that they are heard as quickly as possible and that the associated decisions are issued on average within four months of the complaint being submitted. (Some cases of a multiple nature or greater complexity may take a longer period.)

A new ICT system was put in place from the establishment of the Commission to support complaints and adjudication operations and underpin the Minister’s vision for the implementation of an efficient, effective and quality adjudication service. The Commission is committed to rigorous and frequent reviews of operations and service delivery in order to prevent or respond proactively to potential delays or service issues. The strategy will also deliver the elimination of all “legacy” cases by end-2016 and “current” complaints will be processed in “real time” i.e. no process, or resource delays².

Ensure High Quality and Consistency of Decisions

As stated earlier, the Adjudication Service is an amalgamation of a number of different adjudicative bodies, all of whom had a particular style in terms of decision content and format. The WRC will ensure that all decisions are of similar format and style, easily understood and legally robust. This is critical strategically to the reputation of the WRC and will be achieved through the regular review of decisions by an internal Quality Control Group who will look at, among other matters, the efficiency of the hearing process, the quality of the decision and provide individual and/or systemic feedback depending on the facts in each case. This

²The Commission does not have jurisdiction over the “legacy” cases referred to the Employment Appeals Tribunal prior to 1 October 2015.

STRATEGIC REQUIREMENTS (continued)

process will not interfere with the statutory independence of the Adjudicator. Formal feedback on the outcome of appeals will be obtained from the Labour Court on a regular basis and will inform our quality process and evaluation.

Occasional research will be required and published in order to ascertain the effectiveness of the new service and the precedents that arise from adjudication.

Triage complaints away from the Service where appropriate

From a user and resource perspective it is critical that the WRC seek to resolve complaints more efficiently and at a lower cost than that arising during adjudication for both the parties and the WRC.

In this regard, the WRC, as resources allow, will identify and offer early resolution or more in-depth mediation to those cases which, in its opinion, are potentially amenable to pre-adjudication settlement.

It is imperative that workplaces have robust, transparent and fair grievance procedures. The Advisory Service will identify frequent users of the Adjudication Service and will review their interactions with the Service to ascertain if there are underlying systemic issues within workplaces that are giving rise to this pattern. Where these are identified, the Advisory Service will work with the relevant party to improve workplace relations, individual management/union and employee practices, with a view to reducing the number of referrals to the Adjudication Service where possible.

Driving employment legislation compliance

A fundamental role of the WRC is to ensure compliance with employment law and, where necessary, pursue the enforcement of employment rights legislation in enterprises/individual cases. This includes redress for the employees concerned and payment of any unpaid wages arising from contraventions of employment rights. In addition, through its Information Centre, the Commission as part of driving overall compliance with employment legislation, the Commission provides information on rights and entitlements under employment legislation.

Promote and enhance awareness of employment law and be the “go-to” service for such information

The WRC will work to establish itself as the locus of information in the State for all matter relating to employment rights. In this regard, we will provide accurate, up-to-date and timely information on employment rights, equality legislation, employment agency licences, Protection of Young Persons (PYP) licences, and employment permits. In addition, we will work with other government agencies to ensure that employers and employees are referred to the appropriate agency for further information and relevant action.

We will also work to ensure that there is adequate use of educational, and advertising/media channels, to convey our message to employers and employees in relation to employment rights and standards. We will participate in and deliver employment law seminars, presentations, exhibitions, roadshows and other relevant events which may be used to deliver information and raise awareness of employment legislation.

STRATEGIC REQUIREMENTS (continued)

Promote and work to achieve compliance with employment law

Our emphasis is on education and compliance with legal employment standards. We will identify and tackle non-compliance with employment legislation. In this regard, we will carry out targeted geographical and sectoral based inspections or a combination of both to optimise compliance and resource usage. We will actively consider moving to a “name and shame” regime in terms of employers who feature repeatedly in terms of non-compliance. We will also ensure that compliance notices and fixed payment notices are utilised to optimise compliance – this is a strategic priority and their effectiveness will be evaluated on a continuous basis.

In addition to the administrative co-operation provided for in section 35 of the Workplace Relations Act 2015, the WRC will continue to engage with Irish and overseas agencies, the EU and the ILO and kindred domestic enforcement bodies to inform our work and to identify best practice and enforcement.

Inform the policy debate on emerging employment patterns

The WRC is well placed to identify at enterprise and sectoral level, emerging employment issues or vulnerable sectors in terms of employment protection. The WRC will collect and collate data in this regard and will bring it to the attention of the Department, Government and relevant parties for consideration in a policy context.

Adopt a robust approach to prosecution of contraventions of employment legislation

This is critical strategically for the WRC; where ongoing educative and promotion of improved compliance has not produced the desired effect it is critical that the WRC utilises the full compliance and prosecutorial powers afforded to it in the primary legislation. The WRC will, as appropriate, issue fixed payment and compliance notices, pursue prosecutions for offences of non-compliance with employment legislation, and shall seek the enforcement of decisions and awards arising from decisions of Adjudication Officers and the Labour Court.

Developing and enhancing enterprise-level workplace relations

One of the principle objectives of the Commission is to promote the improvement of workplace relations generally. This will be a key element of the WRC’s overall strategic approach over the coming three years.

Enhance and broaden the remit of the WRC

Frequent Users Programme

The WRC will engage pro-actively with regular users of the WRC Mediation, Conciliation and Adjudication Services to identify any underlying systemic issues that give rise to a perhaps over reliance on the institutions of the State to resolve internal enterprise difficulties.

In light of the positive benefits that arise for the enterprise in question and the consequent reduction in State resource allocation this initiative will be a strategic priority for the Advisory Service over the next three years.

STRATEGIC REQUIREMENTS (continued)

Promote positive workplace relations

Bespoke interventions at enterprise level can be critical in terms of retaining competitiveness, securing employment, encouraging investment, and reducing potential industrial conflict. The WRC will work with organisations to promote better workplace relations frameworks and processes, the use of early and alternative conflict management practices such as mediation so that individual disputes can be resolved internally, at the earliest opportunity and without recourse to the Conciliation or Adjudication Services.

Broaden the assistance provided in the resolution of individual grievances and disputes

A trend of growing individual conflict in workplaces is well-established, not only in Ireland but internationally. The WRC will assign resources to address the increasingly individualised character of much workplace conflict. The WRC will develop and enhance its capabilities and activities in this area. It will intensify its engagement with organisations to build up workplace conflict management frameworks, knowledge and skills. However, such engagements will be done in the context that such frameworks are not closed systems and, where resolution is not possible, the individual(s) have an agreed procedural route to the WRC and Labour Court to pursue a satisfactory resolution or adjudication of the issue at hand. The “Codes of Practice” provided for in the Industrial Relations Acts and the Workplace Relations Act 2015 are vital components of any internal grievance dispute resolution processes.

Enhancing and informing the policy debate on workplace relations developments

Identify areas of policy concern and input to policy formulation

Given the Commission’s range of activities the WRC will capture data, carry out a broad sweep of relevant research – both domestic and international - around collective and individual disputes and rights, as well as identifying emerging pressures or trends and will identify any potential policy or structural initiatives required to alleviate or address them.

In carrying out this function, the WRC will work with bodies carrying out related research (e.g. Low Pay Commission, Universities, ESRI, etc.) and will liaise with the Department of Jobs, Enterprise and Innovation, to bring about a complementarity of approach and to ensure that resources are not duplicated and expended unnecessarily. This process has already been initiated: the WRC will publish shortly a comprehensive report on current and future developments and challenges in relation to economic, fiscal, employment matters and employment rights that will impact on the work of the WRC and on workplace relations generally over the medium-term.

Publish Regular Commentaries/Data on WRC activities

It is important that the WRC provides feedback to its users on all aspects of its activities. This will afford the opportunity to identify if our clients are in compliance with employment legislation, allows them evaluate if a complaint – on preliminary assessment – is well founded, if the localised workplace relations are in need of improvement and what service the WRC can offer in this respect.

The WRC will address this in a number of ways: regular analysis will be published of our activities across all our Services, and all adjudication and Labour Court decisions will be published on the website. Regular commentaries on significant/key employment law decisions will also be produced.

Involving our stakeholders on operational aspects of the WRC services

To improve our service and to bring clarity of purpose around the activities and service of the WRC we will actively engage with all our stakeholders on a regular basis through a range of media options.

This feedback will be a two-way process: it is critical that our stakeholders know that their views are listened to and acted upon – or to know why their advice has not been utilised. This contact and communication will be regular and consistent.

IRISH HUMAN RIGHTS AND EQUALITY ACT 2014

In line, with section 42 of the Irish Human Rights and Equality Act 2014 (which requires a public body to set out in its Strategy Statement, an assessment of the human rights and equality issues it believes to be relevant to the functions and purpose of the body, and the policies, plans and actions in place or proposed to be put in place to address these issues), the Workplace Relations Commission 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 practises relevant to people who use

In addition to putting in place a bespoke Customer Charter and Complaints Procedure the WRC will:

- Establish and maintain a Stakeholder Engagement Framework to convene on a regular basis to ensure that the WRC listens to stakeholder feedback and is seen to consider this feedback and act upon it where appropriate,
- meet, on an ongoing basis, organisations who regularly interact with the WRC, and are representative of key user groups.
- carry out and publish an annual awareness and effectiveness evaluation that will be delivered via a mixture of customer/ general surveys and the issues arising through stakeholder engagement and other user interactions.

the services of the Commission will be kept under review to ensure compliance with human rights and equality norms. Similarly, the Workplace Relations Commission 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. All internal policies are kept under review to ensure compliance with best practice in those areas.

STRATEGIC FOCUS - 2016

The WRC Work Programme for 2016 was submitted to the Minister in November 2015 and it forms the framework for all strategic and operational activities for 2016. These are further enumerated in the WRC Business Plan 2016.

The key Strategic Objectives identified in the Programme for 2016 are to:

- Further develop and promote dispute prevention and improvement of workplace relations.
- Reduce adjudication service referrals through the Frequent User Programme and through increased client take-up of the relevant mediation services of Workplace Relations Commission.
- Provide timely, effective and efficient Conciliation Services and ensure demand is met whilst maintaining delivery of all additional services.
- Oversee efficient and effective Adjudication throughput of “current” complaints through registration, hearing and decision. Clearing the backlog of all “pre-vesting day” legacy complaints in the former Equality/Rights Commissioner Services.
- Continue to rollout enhanced technologies and e-facilities to underpin operational efficiency and enhanced customer service.
- Promote awareness of and compliance with employment legislation through risk-based inspections, complaint-based inspections, with other State bodies where appropriate and prosecute, as appropriate, offences of non-compliance with employment legislation.
- Provide a high quality accessible, customer-focused and user-friendly response to telephone, email, white mail and other employment rights enquiries.
- Participate in and deliver employment law seminars, presentations, exhibitions, roadshows as required.
- Complete the establishment of a robust corporate governance framework for the Workplace Relations Commission.
- Complete re-location of Dublin base of WRC to Lansdowne House without impacting upon service delivery.
- Design and implement a WRC HR strategy and policy that fully supports the activities of the WRC and supports and develops its staff to achieve the above objectives.

STRATEGIC OBJECTIVES – MEASURING SUCCESS

As the Strategy is delivered over the next three years, the Director General and the Board will monitor and review its successful implementation and report to the Minister annually in this regard. It will also identify new challenges as they arise and agree and implement further relevant strategies as required.

The WRC will work closely with the Department to ensure that the Minister is kept abreast of progress and to identify any issues arising such as increased demand or declining resources that have the potential to impact on the delivery of the Strategy.

The key measures of success are set out below.

STRATEGIC OBJECTIVES	ACTION/TASKS	DESIRED OUTCOME	TIMEFRAME	PERFORMANCE INDICATORS
Promote Orderly Collective Bargaining	Promote orderly collective bargaining in the private sector	Assisting employers and trade unions to bring difficult negotiations to a successful conclusion, maintaining industrial peace and retaining and enhancing the internal capacity of the WRC to achieve this	2016-2018	Measuring output from Conciliation, Mediation and Facilitation Service and analysing the economic impact of these interventions
	Facilitate resolution of collective disputes in the public sector	Discussions or disputes arising are resolved amicably and speedily and within the context of the architecture of public sector agreements	2016-2017	Contribution of the Services towards orderly oversight of IR in the public service and its contribution towards facilitating public service reform
	Assist in structuring a public sector pay framework	WRC will play an active role in working with stakeholders to help identify the design of an agreed framework	2016-2017	Level of engagement with key stakeholders in Management and Unions to achieve this policy objective
	Incorporate civil servants, Garda Síochána, and teachers, into the broader workplace relations framework (if required)	WRC will work to ensure that in the event of such a policy being agreed it will be in a position to meet the anticipated demand	2016	Progress precise proposals / groups involved and their impact on demand for WRC services

STRATEGIC OBJECTIVES – MEASURING SUCCESS (continued)

STRATEGIC OBJECTIVES	ACTION/TASKS	DESIRED OUTCOME	TIMEFRAME	PERFORMANCE INDICATORS
Consolidate the Workplace Relations Commission	Achieve an internally recognised WRC culture and brand	Progressed through WRC Business Plan, HR Strategy, cross-functional teams, organisational, and individual targets	2016	Success evaluated through customer and annual staff surveys and organisational and personal performance reviews
	Instigate talent management and skill development strategy	Develop human resource policy involving succession planning, coaching, mentoring, the provision of legal advice and training and career development	2016	WRC has a talent pool sufficient to meet ongoing staff churn and has flexibility to respond quickly to shifting demand patterns across the full range of its activities
	Ensure robust corporate governance around delivery of services	Produce corporate policies, provide full assistance to colleagues around service delivery (e.g. facilities, accommodation, finance, ICT, and knowledge management)	2016	Full support provided to DG and Board and assurance provided to the Accounting Officer around compliance with Civil Service Corporate governance requirements
	Drive value through technology	Resources permitting – conclude roll out of cross-functional supportive technology	2016-2018	Enhanced processing speeds, reduced overheads, enhanced customer experience, and resource efficiencies for the WRC on the longer-term
	Enhance customer service delivery	Place the needs of users and stakeholders at the very core of service delivery and reduce the administrative burden involved in customer interaction with its services	2016	Achieved and monitored through stakeholder engagement, customer surveys, Customer Charter and other evaluative feedback mechanisms
	Achieve Customer Brand Recognition	Develop communications strategy to project the WRC organisational identity, the range of services on offer	2016-2017	WRC Brand and Services fixed in stakeholder consciousness – evaluated by range of mechanisms (customer/general surveys, stakeholder engagement etc.)

STRATEGIC OBJECTIVES – MEASURING SUCCESS (continued)

STRATEGIC OBJECTIVES	ACTION/TASKS	DESIRED OUTCOME	TIMEFRAME	PERFORMANCE INDICATORS
Enhance dispute resolution service and delivery	Develop further and deliver an expert suite of dispute resolution services	WRC will deliver a variety of expert conflict management services to resolve individual interest and employment rights disputes, collective disputes, it will provide dispute mediation and grievance and early resolution services	2016-2018	Range of services provided and WRC aligned with the fluctuating dynamics of workplace relations
	Operate the industrial relations resolution process to a recognised high standard and enhance the process of orderly collective bargaining	Service will be maintained and enhanced and adequately staffed to meet successfully additional and ongoing demand	2016-2018	Service meeting demand “in time” and resolving disputes consistently
	Support the public sector in a time of challenge and change	WRC will facilitate the resolution of disputes and negotiation of national-level agreements and support public sector organisations in context of public sector reform agenda	2016-2018	The resolution of public service disputes and negotiation of national-level agreements facilitated successfully and reform process fully supported in a structured and focused manner
Provide highest quality, “real-time” adjudication	Deliver fast, efficient, and effective throughput of cases through registration, hearing and decision	Ensure complaints are heard as quickly as possible and decision issued on average within four months of complaint submission	2016-2017	All “legacy” cases dealt with by end-2016 and system functioning “in time” by early-2017

STRATEGIC OBJECTIVES – MEASURING SUCCESS (continued)

STRATEGIC OBJECTIVES	ACTION/TASKS	DESIRED OUTCOME	TIMEFRAME	PERFORMANCE INDICATORS
	Ensure High Quality and Consistency of Decisions	All decisions will be of similar format and style, easily understood and legally robust - achieved through the regular review of decisions by an internal Quality Control Group	2016-2017	High quality decisions issued efficiently and in line with processing target
	Triage complaints away from the Service where appropriate	WRC will reduce costs to all parties and WRC through the resolution of complaints outside of adjudication where appropriate	2017-2018	Significant number of complaints submitted for adjudication resolved beforehand
Drive employment legislation compliance	Promote and enhance awareness of employment law and be the “go-to” service for such information	The WRC will be the locus of information in the State for all matter relating to employment rights	2016-2018	WRC providing accurate, up-to-date and timely information on employment rights, equality legislation, employment agency licences, PYP licences, and employment permits
	Promote and work to achieve compliance with employment law	Identify and tackle non-compliance with employment legislation, compliance notices and fixed payment notices will be utilised to optimise compliance, and best practice will be identified and implemented	2016-2018	Enhanced level of compliance and effectiveness of WRC will be evaluated and reported on a continuous basis
	Inform the policy debate on emerging employment patterns	WRC will collect and collate data and will bring it to the attention of the Department, Government and relevant parties for consideration in a policy context	2016-2018	Regular data-sharing and policy debate arising

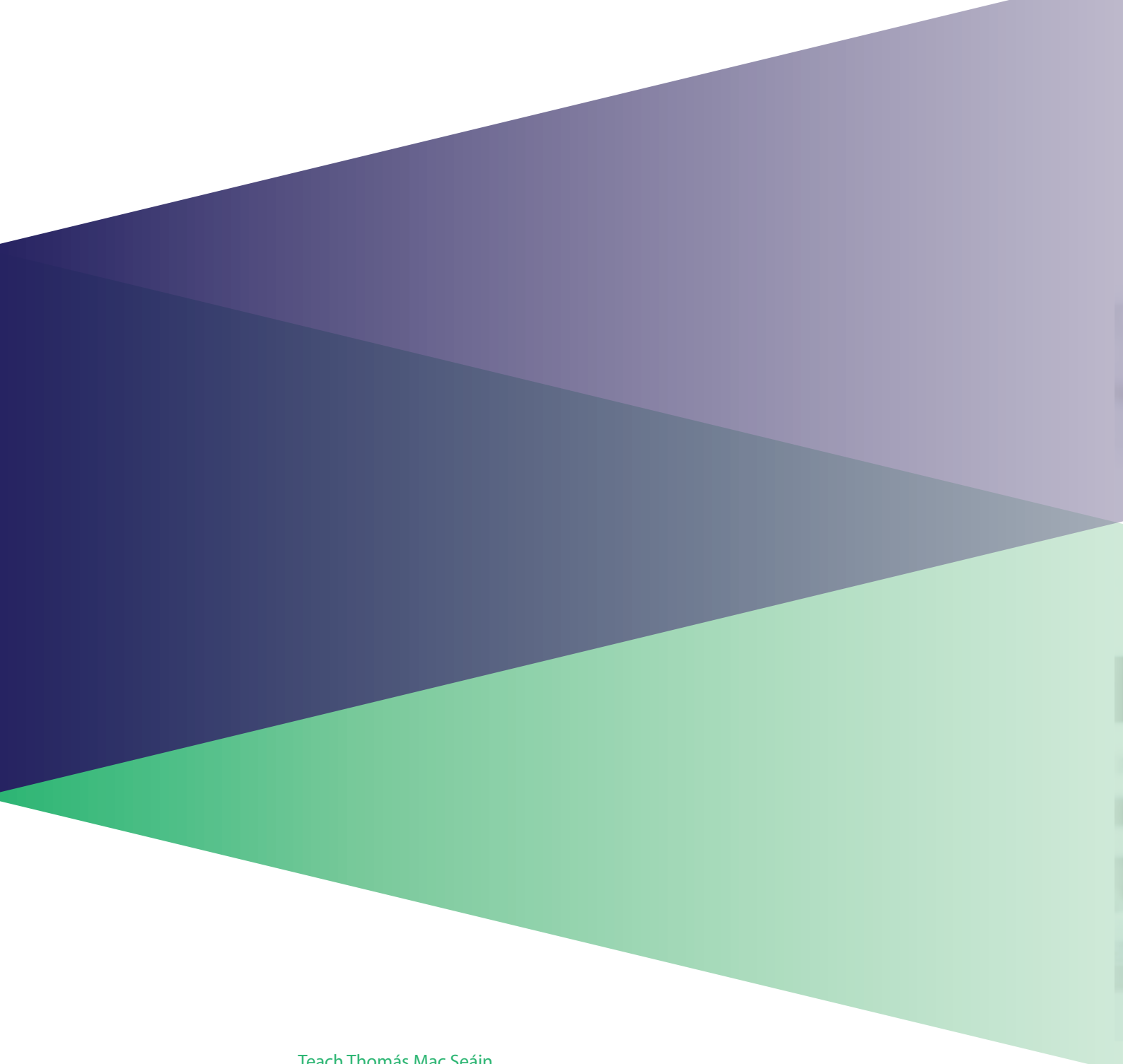
STRATEGIC OBJECTIVES – MEASURING SUCCESS (continued)

STRATEGIC OBJECTIVES	ACTION/TASKS	DESIRED OUTCOME	TIMEFRAME	PERFORMANCE INDICATORS
	Adopt a robust approach to prosecution of contraventions of employment legislation	As appropriate, issue fixed payment and compliance notices, carry out prosecutions for offences of non-compliance with employment legislation, seek the enforcement of decisions and awards arising from decisions of adjudication officers and the Labour Court	2016-2018	Robust approach adopted, recognised by stakeholders and increased levels of compliance arising
Develop and enhance enterprise-level workplace relations	Enhance and broaden the remit of the Frequent Users Programme	Engage with stakeholders and user of WRC services under the Frequent Users Programme	2017-2018	Consequent reduction in State resource allocation arising directly from this initiative
	Promote positive workplace relations	The WRC will work with organisations to promote better workplace relations frameworks and processes, and the use of early and alternative conflict management practices	2016-2018	Bespoke interventions successful and evaluated and reported on individually
	Broaden the assistance provided in the resolution of individual grievances and disputes	The WRC will develop and enhance its capabilities to build up relevant workplace conflict management frameworks, knowledge and skills	2017-2018	Individual conflict resolution outcomes improved through WRC providing direct workplace assistance and designing of broader frameworks

STRATEGIC OBJECTIVES – MEASURING SUCCESS (continued)

STRATEGIC OBJECTIVES	ACTION/TASKS	DESIRED OUTCOME	TIMEFRAME	PERFORMANCE INDICATORS
Enhance and inform the policy debate on workplace relations developments	Identify areas of policy concern and input to policy formulation	WRC will capture data, carry out relevant research –and identify any potential policy or structural initiatives required to alleviate or address them	2016-2018	Regular relevant commentaries and reports published
	Publish Regular Commentaries/ Data on WRC activities	WRC will provide feedback to its users on all aspects of its activities via regular compendia of activities and findings, and commentaries on significant/key employment law decisions will be produced	2017-2018	Commentaries and Reports published giving rise to enhanced understanding amongst client base of WRC activities and services and how well their own workplaces are in terms of compliance and best-practice
Involve our stakeholders in operational aspects of the WRC services	Establish and maintain a Stakeholder Engagement Framework	Framework will be established and convene on a regular basis	2016-2018	Engagement occurs twice a year to ensure that stakeholder feedback is considered and acted on where appropriate – WRC service incrementally improved as a result
	Carry out and publish an annual stakeholder awareness and effectiveness evaluation	The WRC will carry out and publish an annual awareness and effectiveness evaluation - via customer/ general surveys, stakeholder engagement and other fora	2017-2018	Improved stakeholder awareness of activities and enhanced organisational effectiveness





Teach Thomás Mac Seáin,
Bóthar Haddington,
Baile Átha Cliath 4,
Éire

Tom Johnson House,
Haddington Road,
Dublin 4,
Ireland D04 AE64

T: 1890 22 02 27 or +353 (0)1 613 6700

F: +353 (0)1 613 6701

E: info@workplacerelements.ie
www.workplacerelements.ie