

## NERA Activity from January to September 2013

### Awareness & Information:

In the period January to September 2013 the Customer Service Unit provided information to over 48,584 people, a decrease of 10% on the 2012 figure of 54,203. These comprise 35,239 callers answered directly by experienced Information Officers, 6,740 by the NERA 24 hour recorded information service and 6,605 eform queries.

Employees and former employees accounted for 71% of callers, while an estimated 19% were employers. Redundancy, working hours, conditions and terms of employment, payment of wages and unfair dismissal were the main topics of the queries dealt with.

The Workplace Relations Customer Services (which deals with complaints in relation to all employment rights bodies) received 11,787 employment rights complaints in the first six months of 2013. This compares with 9,809 in the same period in 2012. Full breakdown of the WRCS statistics are contained in the second issue of the Workplace Relations Reform Quarterly Newsletter available to download at [www.workplacerelations.ie](http://www.workplacerelations.ie).

### NERA Workplace Inspections:

(See breakdown by Sector and Legislation on Page 2)

In the period January to September 2013 a total of 4,009 inspection cases were completed involving over 44,100 employees. This compares to 3,140 cases in the same period on 2012. The amount of unpaid wages recovered was €583,650, a decrease on €659,434 secured in the same period in 2012.

### Prosecutions:

In the period January to September 2013 thirty three cases were referred for prosecution (in Q3 2012 thirty one cases were referred). 47 convictions (29 in 2012) were recorded in cases heard by the Courts over the period resulting in fines of €67,450 being imposed. Arrears of wages of almost €15,000 were awarded to employees. In the same period on 2012 the Courts imposed fines of over €40,800 and awarded arrears of almost €9,000.

### Employment Agency Licences:

Under the Employment Agency Act, 1971 an Employment Agency must hold a licence if it is to carry on its business. In the nine month period to end September 2013 two hundred and ninety applications for licences were received and 267 licences were issued. 386 applications were received and 317 issued in same period in 2012. As the Garda vetting process can take up to 12 weeks, applicants are requested to submit licence applications and renewals as early as possible.

### Protection of Young Persons

#### Licences:

159 licences, allowing children (i.e. under 16s) to be employed in cultural, artistic, sports or advertising work, were issued in the period January to September 2013 in respect of 295 children working in the arts/TV/film. In the same period in 2012 146 licences issued in respect of 282 children.

## Summary of Inspections & Breaches Detected January to September 2013

Sector	No of Inspections Concluded	Compliance Rate%	Unpaid Wages Recovered (€)
AGRICULTURE	53	55%	35,104
CONSTRUCTION	96	48%	102,154
CONTRACT CLEANING	11	36%	112
ELECTRICAL	15	47%	0
FOOD & DRINK	714	39%	192,257
HOTEL	62	53%	41,951
MANUFACTURING	47	64%	13,070
SECURITY	10	30%	0
TRANSPORT	34	44%	9,261
WHOLESALE AND RETAIL	255	41%	63,504
OTHER	627	52%	126,237
UNANNOUNCED VISITS	2,085	65%	0
<b>TOTAL</b>	<b>4,009</b>	<b>56%</b>	<b>583,650</b>

### Employment Permits Inspections:

NERA inspectors are authorised officers under the Employment Permits Acts. Compliance checks under this legislation are an integral element of all NERA inspections. Joint inspections may also be carried out as part of investigations involving Revenue, Department of Social Protection staff and An Garda Síochána.

In the period January and September 2013 three hundred and seventy four employers were found to be in breach of the employment permits acts and 327\* persons were identified working without legal authorisation.

- Certain breaches of the Employment Permits Acts involve offences other than employment of a person without a permit (such as failure to keep employment records, obstruct or impede an Authorised Officer, etc ). This accounts for the greater number of employers in breach compared with employees identified.

### Enforcement of EAT/Labour Court Orders:

In the period January to September 2013 fifty one new cases were opened and 54 cases were concluded. 98 cases were on hands at the end of September 2013.

#### NERA Contact Details

Information: Lo-call 1890 80 80 90

Inspection: Lo-call 1890 220 100

Prosecution & Enforcement:

Lo-call 1890 220 200

[www.employmentrights.ie](http://www.employmentrights.ie)

[www.workplacelrelations.ie](http://www.workplacelrelations.ie)