



Civil Public & Services Union

ONE VOICE!

**FAIR PAY & CONDITIONS
ADVICE & REPRESENTATION**

Your Rights at work

a guide for members



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Further information available on www.cpsu.ie
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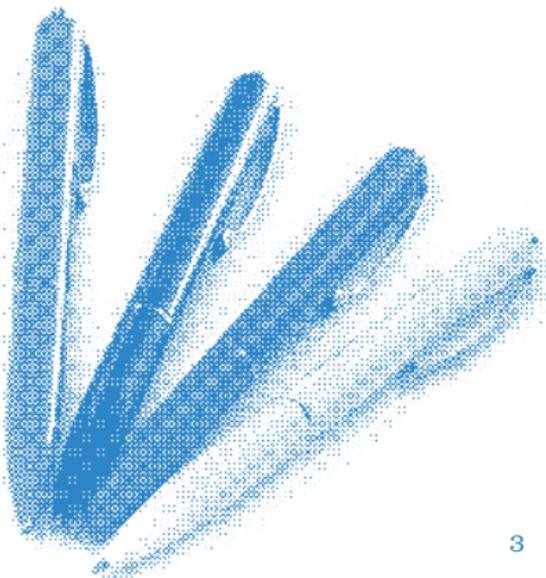
Introduction

You are entitled to rights and dignity at work, including the right to join a trade union

CPSU has put together this booklet for you. It highlights some of your rights in the workplace and where to go to find out more. It's important for you to read this card and show it to your co-workers and friends

- For further information on any of these rights and entitlements, specific situations, contact CPSU's Membership Information & Rights Unit (MIRU) on 01 6020202 or e-mail miru@cpsu.ie
- For more information on joining CPSU, suggestions about this card or suggestions for CPSU Youth please contact headoffice@cpsu.ie or (01) 6765394
- For details on CPSU Youth Committee see www.facebook.com/cpsuyc

Disclaimer: This information is intended as a guide only and does not constitute legal advice.



Why join CPSU?

- CPSU have a direct input into national negotiations, and strive to protect the pay and conditions of our members
- CPSU has been at the forefront of negotiating flexible working arrangements in the civil service and semi-state sectors of employment
- At a national level CPSU has a proud history of success in the area of equality and strive to improve on that success at every opportunity
- CPSU ensures that your working conditions are as safe and healthy as possible
- CPSU's professional and experienced team of officials, including the Membership Information & Rights Unit (MIRU), offer confidential advice to members
- CPSU offers a range of benefits to members (set out in detail within this booklet)

Your pay and conditions of Employment

- 01** All employee's are entitled to a written statement of your terms of employment (this includes pay, place of work).
- 02** You have a right to a written statement of wages everytime you are paid
- 03** New entrants into the Civil Service and private sector employee's are entitled to a contract of employment which sets out your pay and terms and conditions of employment

The following rights and entitlements are minimum standards to be applied in accordance with the Organisation of Working Time Act, 1997. Department of Finance Circulars on working hours and holiday entitlements will apply in the Civil Service. If you are unsure about your entitlements in your sector of employment please seek advice from your trade union official or the MIRU

Your working time – breaks rests and holidays

You are entitled to breaks during your work and rest periods between work as follows:

Time Worked	Break Entitlement
4.5 hours	15 minutes
6 hours	30 minutes

You are entitled to 11 continuous hours rest in every 24 hour period, and one 24 hour rest day in every 7 days.

If your employer requires you to work on a Sunday, and this has not been taken account of when calculating your pay, you are entitled to either; an allowance – an increase in your rate of pay – paid time off – or a combination of all.

There are nine public holidays in the Republic of Ireland:

- New Year's Day (January 1st)
- St Patrick's Day (March 17th)
- Easter Monday
- 1st Monday in May
- June and August
- Last Monday in October
- Christmas Day (25th of December)
- St Stephen's Day (December 26th)

You need to have worked at least 40 hours in the last 5 weeks before the public holiday to be entitled to this and it is up to your employer to decide which of the 4 options under the Act you receive.

You are entitled to paid annual leave(holidays) including 1 extra day after 5 years of employment and 2 extra days after 10 years of employment in the Civil Service.

Note: Information on Circulars in relation to working hours and annual leave are available from the MIRU or on our website www.cpsu.ie



Family & Work

Pregnancy, Maternity, Paternity, Adoptive

If you are female, you are protected from any form of discrimination in relation to pregnancy or childbirth as soon as you are employed. This means that you cannot be dismissed because you are pregnant, even if you have just started working for your employer. This also means you cannot be denied a job simply because of pregnancy.

If you are pregnant, you are entitled to:

- Paid time off for ante-natal classes
- 26 weeks maternity leave attracting a full payment and 16 weeks unpaid maternity leave
- Specific health and safety regulations in relation to work which may be dangerous during pregnancy. Please seek advice

Since 1 March 2007 an adoptive mother is entitled to 24 weeks' adoptive leave. You are also entitled to take 16 weeks' additional unpaid adoptive leave after your adoptive leave ends. Under legislation only the adoptive mother is entitled to avail of adoptive leave from employment, except in the case where a male is the sole adopter.

New Fathers

Two weeks paid paternity leave will be introduced for births and adoptions from September 2016.

At present the Department of Finance Circular refers: Father's are entitled to 3 days special leave with pay per child. The leave may be taken on or

up to four weeks after the date of placement of the child. Worksharers entitlements are on a pro-rata basis.

Parental Leave

Unpaid parental leave of up to 18 weeks can be taken by each parent following birth or adoption.

Force Majeure Leave (Paid Emergency Leave)

This is emergency leave with pay, if your presence is absolutely necessary to assist particular relatives in case of accident or emergency. The maximum is 3 days in 12 months or 5 days in 36 months. You must let your employer know as soon as possible if you are availing of Force Majeure Leave.

Carer's Leave

If you need to care full-time for a sick relative, you may be entitled to up to 104 weeks (unpaid) Carer's Leave under very precise conditions. Six week's notice is necessary and a minimum of thirteen weeks must be taken. Whether or not you qualify for Carer's Leave is judged by the Department of Social Protection. If you take Carer's Leave your job is secure.

Bereavement Leave

There have been changes to bereavement leave in the Civil Service to include son-in-law and daughter-in-law in the definition of immediate relative. See Department of Finance Circular 22/2009 Grievance and Discipline Procedures.

What is a grievance?

A grievance is a complaint you make about somebody/something at work for example, bullying harassment, poor working conditions to name a few.

What is a disciplinary procedure?

This can occur when your employer is not satisfied with your work performance or you have been accused of breaching regulations at work and this is raised with you formally.

- 01 Employee's have the right to a copy of these procedures which is clear and understandable and they must always be adhered to. All of these procedures are based on the concept of natural justice which allows you fair procedures, details of any allegations or accusations made against you, the right to respond and have a representative of your choosing present
- 02 Your right to representation exists no matter where you work
- 03 Your employer must take into account any representations made and any other circumstances which are relevant to the situation before making a decision
- 04 Disciplinary action follows a pattern of verbal and written warnings with possible suspension and dismissal as a final option. Some steps may be skipped in the event of serious misconduct
- 05 You have the right to appeal a decision
- 06 If you have a grievance or are threatened with disciplinary action you should seek advice from your CPSU trade union official

Equality at Work

It is against the law to treat someone less favourably than another person because of his or her gender, sexual orientation, disability, marital status, religious beliefs, race, family status, age and membership of the travelling community. These are the nine discriminatory grounds referred to under Harassment.

Such treatment includes all aspects of employment, including pay, access to work or training, promotion etc.

Employees on a **fixed term contract** commencing after July 2003 must be offered a contract of indefinite duration after 4 years if their services are to be retained or must be offered a contract of indefinite duration after 208 weeks of aggregate service – unless the employer can justify not doing so for a reason that is legitimate and appropriate.

If you work **part time** you **cannot** be treated differently to someone who works full time simply on the basis of hours worked. This covers pay and promotion opportunities but not pensions.

The following behaviours described below are illegal and if encountered, should be reported to your employer. Each sector of employment has its own guidelines on bullying, harassment and sexual harassment and should be adhered to at all times.

Bullying

Bullying is defined as behavior of either physical, psychological or verbal nature, which is unwelcome and unwanted. Examples of such are: open aggression, threats, constant humiliation,

sneering, taking credit for another persons work, undermining a persons authority, spreading malicious rumours.

Harassment

Harassment is defined as any act or conduct that is unwanted and unwelcome and which could reasonably be regarded as offensive, humiliating or intimidating.

Treating people less favourably or subjecting them to ridicule on any of the nine discriminatory grounds (see Equality section), namecalling, isolation or exclusion within the workplace, unwarranted criticism of work performance, display or circulation of offensive material are all example of harassment.

Sexual Harrassment

Sexual Harrassment is defined as unwanted and unwelcome conduct which could reasonably be regarded as sexually, or otherwise on the gender ground offensive, humiliating or intimidating.

Examples include: sexually suggestive jokes, innuendo, questions or insults about one's private life, unwelcome sexual attention, leering, offensive gestures of whistling, suggestions that sexual favours may further someones career, or that refusal may damage it.

Temporary/Fixed Term Worker or Part-time

- All temporary workers are eligible and entitled to join the Union
- All our members whether temporary or part-time are entitled to the same rights of representation as all other members

- We offer the same professional service and range of benefits to all members
- We continue to protect the pay and working conditions of all members including those on reduced working hours or on temporary contracts

Health and Safety at Work

Employee's have a right to be safe at work. Your Employer must provide:

- A safe place of work
- Competent co-workers
- Safe systems at work
- Safe plant and equipment

You must also contribute in every way possible to a safe work environment and obey lawful instruction from your employer to ensure safety.

You are entitled to a staff safety representative nominated by employees.

Benefits to Members

- You can claim Dental Benefit each year – 50% of the cost subject to a maximum depending on your period of membership in the union:
 - 2 Months – 2 years completed membership
= €65.00
 - 2 Years – 5 Years completed membership
= €140.00
 - 5 Years onwards completed membership
= €240.00
- You can claim Optical Benefit over two years, 50% of the cost subject to a maximum depending on your period of membership in the union equivalent to that set out in the Dental Benefit above
- Mortality Benefit- €4,000.00 paid to your next of kin
- Funeral Expenses Benefit: Provided to a member who has lost a spouse or partner or dependent son or daughter. Details upon application
- Free legal consultation provided for workplace and personal issues
- Members can claim €50.00 per year towards cost of cancer screening
- Hospital Fund €35.00 a day for first five days

- €13.00 a day thereafter subject to a maximum payment of €900 per annum
- Special Assistance Benefit – The Finance and General Purposes Committee (F&PGC) will consider claims for financial assistance to help cover the costs associated with alternative medicine, prosthesis, cancer care etc.





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