



STATUTORY INSTRUMENTS.

S.I. No. 598 of 2021



SECTORAL EMPLOYMENT ORDER (CONSTRUCTION SECTOR) 2021

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WHEREAS I, DAMIEN ENGLISH, Minister of State at the Department of Enterprise, Trade and Employment being in receipt of a recommendation from the Labour Court under section 16 of the Industrial Relations (Amendment) Act 2015 (No. 27 of 2015) and being satisfied, having regard to the report referred to in subsection (3)(b) of that section accompanying the recommendation, that Chapter 3 of Part 2 of that Act has been complied with:

NOW, I, DAMIEN ENGLISH, in exercise of the powers conferred on me by subsection (1) of section 17 of the Industrial Relations (Amendment) Act 2015 (No. 27 of 2015) (as adapted by the Business, Enterprise and Innovation (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. 519 of 2020) and the Enterprise, Trade and Employment (Delegation of Ministerial functions) Order 2020 (S.I. 579 of 2020)) hereby make the following order with respect to which, pursuant to subsection (4) of section 17 of that Act, a draft has been laid before each House of the Oireachtas and a resolution approving of the draft has been passed by each such house:

1. This Order may be cited as the Sectoral Employment Order (Construction Sector) 2021.
2. This Order comes into operation on the 1st day of February, 2022.
3. This Order confirms the terms of the recommendation set out in the Schedule.

SCHEDULE

Recommendation of the Court to the Minister, made in accordance with Section 16(1) of the Industrial relations (Amendment) Act, 2015, to amend its previous Recommendation which was confirmed by the Minister by a Sectoral Employment Order (SEO) [S.I. No. 234 of 2019]

The Court, in accordance with the Act at Section 16(1), having heard all parties appearing to the Court to be interested and desiring to be heard, and having regard to the submissions made to it and the matters specified in section 16(2) of the Act, considers it appropriate to make the following recommendation to the Minister:

That its previous Recommendation which was confirmed by the Minister by a Sectoral Employment Order (SEO) [S.I. No. 234 of 2019] be amended as follows:

- (1) That the order be amended so as to delete the text in the section headed Pay Rates contained therein and to replace that text with the following:

Pay Rates

The following basic hourly rates of pay will apply in the sector from 1st February 2022 to 31st January 2023.

Craftsperson	€20.52 per hour
Category A Worker	€19.91 per hour
Category B Worker	€18.47 per hour
Apprentice	Year 1 - 33.33% of Craft rate
	Year 2 - 50% of Craft Rate
	Year 3 - 75% of Craft Rate
	Year 4 - 90% of Craft Rate

An hourly rate of pay of €14.93 will apply for two years after entrance to the Sector to all New Entrant Operative Workers who are over the age of 18 years and entering the sector for the first time.

The following basic hourly rates of pay will apply in the sector from 1st February 2023.

Craftsperson	€21.09 per hour
Category A Worker	€20.47 per hour
Category B Worker	€18.99 per hour
Apprentice	Year 1 - 33.33% of Craft rate
	Year 2 - 50% of Craft Rate
	Year 3 - 75% of Craft Rate
	Year 4 - 90% of Craft Rate

An hourly rate of pay of €15.35 will apply for two years after entrance to the Sector to all New Entrant Operative Workers who are over the age of 18 years and entering the sector for the first time.

- (2) That the order be amended so as to delete the following text in the section headed Pension Scheme:

A pension scheme with no less favourable the terms, including both employer and employee contribution rates, than those set out in the Construction Workers Pension Scheme be in place in the industry.

and to replace that sentence with the following:

“Every employer employing workers to whom the Order applies must have in place a pension scheme that provides pension benefits for each employee covered in the Order.”

- (3) That the order be amended so as to delete the following text in the section headed Pension Scheme:

“Contribution rates will increase in line with wage inflation in the sector after 1st October 2019.”

- (4) That the order be amended so as to delete the text titled **Pension Contribution** in the section headed Pension Scheme and to replace that text with the following:

Pension Contribution

*Pension Contribution from 1st February 2022 Employer daily rate
- €5.73 (weekly - €28.65)*

*Employee daily rate - €3.82
(weekly €19.10)*

*Total contribution daily into the scheme per worker -
€9.55 (weekly €47.75)*

*Pension Contribution from 1st February 2023 Employer daily rate
- €5.84 (weekly - €29.22)*

*Employee daily rate - €3.90
(weekly €19.50)*

*Total contribution daily into the scheme per worker - €9.74
(weekly €48.70)*

- (5) That the order be amended so as to delete the following text in the section headed Sick Pay Scheme:

“A sick pay scheme in line with the Construction Industry Sick Pay Scheme, including no less comparable benefits and contributions by both workers and employers, will be maintained in the sector.

The current weekly Sick Pay Contribution in force in the Construction Industry Sick Pay Scheme provided for in the current order for the sector are as follows

Employer €1.27

Employee €0.63

Total €1.90”

And to replace that text with the following:

“Every employer employing workers to whom the Order applies must have in place a sick pay scheme for each employee covered in the Order. Weekly contributions to a scheme are as follows:

Employer €1.27

Employee €0.63

Total €1.90”

(6) That the order be amended so as to delete the following text in the section headed Sick Pay Scheme:

“Contribution rates will increase in line with wage inflation in the sector after 1st October 2019”

GIVEN under my hand,
17 November 2021

DAMIEN ENGLISH,
Minister of State at the Department of Enterprise, Trade and
Employment.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
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