

The Social Implications of Precarious Work Project

The nature and extent of precarious work in Ireland

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1. Introduction

Precarious work is not a new concept, having been in circulation for several decades now. However, with the onset of the global financial crisis, it has become embedded in both academic and activist discourses on work and society. For decades, the neoliberal ideology has come to dominate much of the globalised world. It is under this condition that precarious work has become prominently used to describe non-standard, flexible working conditions that were adopted during this time. Not only have workers' rights to secure employment been eroded, work practices have become casualised through outsourcing, sub-contracting and temporary contracts (Alund and Likic-Brboric 2015). However, it should be noted that numerous scholars see precarity as nothing new, articulating that characteristics associated with precarity have been permanent fixtures in the working class experience (Frase 2013, Neilson and Rossiter 2008).

There have been a variety of definitions and understandings of the concept of precarity and precarious work. As the ILO reported, "there are no agreed official definitions of what constitutes precarious employment" (ILO 2012: 29). While there are wide-ranging definitions that see precarious work as inclusive of people who are on permanent contracts, for this paper the definition focusses on people who are self-employed, employed on fixed term contracts or part-time irregular hours.

Precarious work in Ireland has a sectoral dimension to it; there are some sectors that are more precarious than others. Furthermore, sectors where precarious work is prevalent vary in the type of temporary contract people may be employed on. The following will give an in-depth look at the nature and extent of fixed term, part-time irregular hours' contracts and self-employment in numerous sectors where these precarious modes of employment have been increasingly used. This is based on in-depth qualitative interviews with 15 trade union representatives, each knowledgeable of the sectors they organise. The title for each sector represents those that the trade unions use rather than the CSO's sectoral categories because the latter are far more generalised.

2. The childcare sector

2.1. Background

There are 23,000 workers in this sector, who are predominantly female and ranging in age from 18-60 plus. As a consequence, they are a highly qualified workforce, with a minimum qualification of FETAC level 5. There are 4,500 providers; a third of the services are community providers and about two thirds are private providers. Moreover, historically, the sector is not unionised.

More generally, community providers are better employers, with higher rates of pay. This is because traditionally they were funded under the Childcare Subvention Scheme, which provided for more stable employment. It is effectively a full-time permanent contract. Approximately 1000 of private providers are small business run predominantly by women on a self-employed basis. There are some childcare chains, but they only make up a small share of the private childcare market.

Type of precarious work in the sector

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The Early Childhood and Care Education scheme (ECCE) was first introduced by the Irish government in January 2010. This gives a free pre-school year to all children in Ireland. Through this scheme, thousands of workers in the sector are employed on a 38 week fixed term contracts, working part-time, 3 hours per day. As a result, the Early Years Educators working on these contracts have to apply for social welfare during the summer months. While most would be re-employed, there is no guarantee that they have a job to go back to. This has greatly increased precarious working conditions in the sector, especially as more are moving towards the ECCE scheme; there is a high take-up rate, which is currently 90%.

2.2. Terms and conditions

The average rate of pay is 10.27 euro per hour. So you have a highly professionalised workforce on very low wages. They have no pension scheme, very few places have paid maternity leave, and they receive the statutory minimum of 20 days' holidays. Early Years Educators get paid for 3 hours of contact time they have with a child per day, however this does not take into account the extensive work that is done outside of those hours such as observation reports, preparatory work for the following day, and further administration and processing obligations. At present, this work goes unpaid.

2.3. The consequences of precarious work in the sector

The turnover rate is approximately 26%. As a consequence, well qualified people are leaving the sector and getting employment in social care or as Special Needs Assistants. This is a consequence of the limited scope for career progression, including pay increments for Early Years Educators. A high turnover in the sector has further implications for the quality of childcare services in Ireland because the highly educated and professional staff cannot be retained.

What is evident is the love that Early Years educators have for their work. As the Early Year's Educator organiser for SIPTU revealed: "you can see there is a huge amount of love for what they're doing; very, very dedicated, very passionate about it, seeing children develop and helping them on that path." However, people employed in this sector; don't see a future in it and the precarious working conditions are making it difficult to remain in the sector.

3. The third Level/university sector

3.1. Background

Third level (Universities, Institutes of Technology and other higher education institutions), is a sector that was traditionally associated with well-paid and secure contracts, but has since become more precarious. Trying to obtain the data for how many people are employed on precarious contracts from each third level institution in Ireland is difficult. However, according to Mike Jennings from IFUT, it is estimated that there are at least as many people on precarious contracts as permanent contracts. There has always been a precariat employed in the sector doing occasional lecturing and tutoring. However, those numbers have increased exponentially. This scenario arose as a result of

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the recession and the employment control framework that the government imposed on the public sector in Ireland. Academic researchers are all precarious, and this was triggered 10 or 12 years ago, as part of the government's national objective to increase Ireland's research profile. The government at the time recruited 5,000 researchers attached to the various state-funded universities.

Internationally, precarious employment has also increased in third level; in Canada there was a 68% increase in part-time staff employed in teaching and research in third level between 2001 and 2010. Part-time staff now teaches 50% of academic courses and more than 30% of academics are employed precariously. In the USA, tenured (permanent) academics totalled 70% in the 1970s; in 2016, there was less than 33% permanently employed. In the UK, 53% of academics are on precarious contracts, and this figure is higher for junior academics, currently at 75%.

The demographic make-up of the sector varies; there is a mixture of male and female academics and researchers, ranging in age and ethnicity. The older cohort tends to be on the traditional tenured contracts, whereas new entrants are younger and predominantly employed on temporary contracts.

3.2. Type of precarious work in the sector

Traditionally in third level, members of staff were predominantly employed permanent (tenured) academics who performed both teaching and research duties. However, with the advent of more precarious contracts in the sector, there are now more people employed on specific purpose contracts; there are people employed on teaching contracts only, and people employed on a specific research project.

There are teaching staff hired on an hourly basis that do not have a written contract other than a pink or yellow slip, where they fill in the slip for the hour worked and they get paid for that hour. The most security a person gets is the number of hours they have been allocated in the first academic teaching term, but generally they do not know whether they'll get any hours in the second term.

3.3. Terms and conditions

Lecturers and tutors hired on a part-time hourly basis are paid for the hour they teach and they are not paid for preparatory work. The rates differ from third level institution, and department, and the rate is said to reflect preparatory work. However, they are not being paid for follow-up nor administrative responsibilities performed outside of the hour they teach. This means there are people with postgraduate qualifications (both Masters and PhD) who are employed on an hourly basis, which could be as little as 2 hours per week for twelve weeks. Many are supplemented by social welfare (if they can get their hours to fit the part-time work supplement criteria), or they find other part-time employment to supplement their income (if their hours allow them to). Teaching staff hired on a part-time hourly basis are normally not entitled to a pension scheme or sick pay.

Researchers hired by third level institutions are on the whole, employed on a fixed term contract. A further element of precarity for researchers in universities has been the designation of postdoctoral researchers as trainees, which does not allow for career progression. According to Mike Jennings,

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General Secretary of IFUT, “they now say you can be on a training programme of 6 years and then you go into a second part of the “training” programme, which is another 6 years. So there’s 12 years on top of your 8 years; so you could be 20 years and you’re still not regarded as a full worker”. Fixed term contracts can be rolled on for no more than 3 years, after which a CID (Contract of Indefinite Duration) must be given, or an objective reason for not giving one must be made. Research and teaching staff hired on this basis receive the same entitlements as those on a permanent contract for the specified period of their employment.

3.4. The consequences of precarious work in the sector

The implication this has for academics hired on such contracts is self-censorship and they are less likely to challenge any major assumptions or be controversial in terms of theory and research. The advent of teaching only contracts has also meant that the worldwide standard model of the tenured academic is disappearing, where traditionally there three pillars to an academic job; 40% of his/her time is devoted to teaching, 40% to research and 20% to service, (pro-bono research or serving on university committees, interview panels etc.).

For both teaching and research only contracts, it means that people employed on such are constantly anxious about reaching the end of their contract, and having to put much of their energies into applying for new employment rather than focussing on publishing or doing research (a fundamental element in developing their career prospects).

Consequently, when employed on one of these precarious contracts, there is no career progression. In universities, career progression only comes about as a result of being employed as a full-time permanent lecturer, engaged in research for a number of years, and fixed term or other temporary workers are not eligible for this. Consequently, there is a high turnover rate (the figure is not available), of precarious academic staff, who eventually must leave academia if they want to follow a more secure employment path.

Ultimately, people working on a temporary basis have not just accidentally ended up working in third level; they love their work and want to do this on a permanent basis. As a result, many continue to take precarious contract after precarious contract in the hope that it is a stepping stone towards a permanent, tenured contract. This has resulted in many academics trapped in precarious work.

4. The financial Services sector

4.1. Background

Traditionally, the work that is done within the sector primarily stems from traditional banking functions, such as customer service (cashiers), clerical workers, mortgage advisers and life insurance advisers located in branches across Ireland. However, banking has changed significantly and with a lot of automation and a lot of digitalisation there are now a lot more analyst roles, IT roles and marketing roles. In addition, as a result of the financial crisis, there are now more collections agents

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(they can be called collectors, recovery agents, relationship managers, arrears support); essentially they are people who are trying to recover loans. Furthermore, the classification of banking per se has changed in the last decade or so, and is more commonly known as the financial services. Therefore banking is just one element of financial services along, with other elements such as payments companies and fund management firms.

This sector traditionally employed people on permanent contracts; however, a lot of changes to the make-up of the sector have occurred, such as out-sourcing, that has seen contractual arrangements change. More recently, even though there has always been in existence a very small amount of people employed on temporary contracts within the sector, the financial crisis (2008) has seen the continuation of such contracts. The reason given by management in banking institutions is that they do not want to make long-term decisions yet because they are only starting to return to operating profits in the last 2-3 years, and still feel volatile. Therefore, senior management teams in the various banking institutions do not want to make long-term, significant costing decisions on labour force costs (otherwise known as fixed costs). However, they are willing to spend on variable costs such as technology, agency workers, and fixed term contractors.

4.2. Type of precarious work in the sector

It should be noted from the outset, while other sectors presented in this paper are seeing a large increase in the use of temporary contracts, financial services is not one of them. However, given that out-sourcing has been introduced into financial services (like in telecommunication), in a sector where the Financial Services Union has collective bargaining agreements with the major banking institutions in Ireland, it will be interesting to see how contractual arrangements change in a post-2008 financial crisis era. Therefore, it is important to flag it now in order to gain an understanding for future studies into the sector.

In non-unionised retail banking, fixed term contracts and agency work are present. Temporary contracts have appeared in the unionised part of the sector also, but are not as prevalent as the former. Unionised banking institutions will use agency workers and fixed term workers in order to fill gaps, or working on a project with a specific purpose. Furthermore, fixed term contracts are prevalent amongst collecting agents in mortgage arrears. There was a lot of contract work in collections for the last 3 or 4 years, however this has died down because the nature of that work is contractual.

In the Credit Union sector, the majority are long service employees with secure employment. However, new entrants are being brought in on one year fixed term contracts. This has come as a result of changes to the Credit Union sector at the moment, where the Central Bank has issued a directive around mergers and amalgamations of Credit Unions. As a result, fixed term contracts are being justified on the basis that some Credit Unions may not be in a position to say what kind of staff requirement needs they will have in the future.

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4.3. Terms and conditions

An eighteen month to two year fixed term contract is the norm for people employed on a temporary contract in a bank. A lot of these 2 year fixed term contracts have been rolled over because a lot of big projects have taken longer to complete. Workers (both precarious and permanent) also do a lot of unpaid overtime in the financial services sector.

Like most fixed term contracts, people employed on such would have the same terms and conditions as a permanent member of staff, such as sick pay, maternity leave and holiday pay. Most fixed term contracts would also entitle the employee to contribute into a pension scheme, however in most companies where a pension scheme is in place, there is a period of two years where the person is not entered into the scheme. Furthermore, 23 month contracts are advertised in order to try and avoid hitting a 2-year threshold where the employee would be entitled to redundancy.

4.4. The consequences of precarious work in the sector

While there is not a high turnover in financial services, (because there is a lot of employment within the sector as a whole), it leaves workers on precarious contracts feeling all the pressures permanent workers feel (such as doing a lot of unpaid overtime), but feeling double the strain because they have to contend with the insecurity of not knowing whether they will have a job by the end of the year or not. Furthermore, those on fixed term contracts will do the unpaid overtime with the hope that their contract will be extended or that they will be made permanent.

For the majority of employees who are “permanent”, while it may say that they are permanent on their contract, they do not feel permanent as a result of performance management systems that are in place in most workplaces. An organiser in the Financial Services Union (FSU) explained that:

“Performance management for permanent staff has hugely contributed to an increase in job insecurity and work-related stress, which I think are hallmarks of precarious work. And the ability to manage someone out in 18 months to 2 years, a permanent person, manage them out on poor performance and terminate their permanent contract on the grounds of capability; they’re incapable of performing the job they were hired to do. It’s legal. You give 2 bad performance ratings, you do 2 performance improvement plans that are signed off on and you terminate them”.

Therefore, while permanent workers may not be contractually precarious, they do feel precarious, and this is an example of a sector where the issues facing contractually precarious workers are seeping into the working conditions of permanent workers in the sector.

5. The telecommunication sector

5.1. Background

The State established Telecom Eireann in 1983, and at this point the telecoms industry was nationalised. However, it was deregulated in 1998 (to allow new entrants into the market), and this

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was followed by the privatisation of Telecom Eireann in 1999, which was subsequently rebranded as Eircom. Since then, it has gone through further rebranding calling itself “Eir”. Since the telecoms industry was deregulated, other companies that entered the sector include Vodafone, Meteor, Three, Sky, and other private companies that are in the business of providing telecommunications to businesses and private homes.

Out-sourcing has become the predominant model used throughout the sector, and it has brought about more precarious employment where there was traditionally strong union membership and full-time permanent contracts. Out-sourcing has implications for all employees because it muddies the waters, and allows companies to abdicate responsibility for them.

The sector is made up of predominantly women, and in Dublin and Cork, the workforce has a more multicultural dimension to it. While traditionally, employees in this sector have not had third level qualifications, this has changed since the financial crisis, and more people with third level qualifications are now employed in the sector. On the retail side of the telecoms industry, gender is balanced and typically between the ages of twenty and thirty. In the telecoms offices, such as Eircom where there are permanent, secure contracts the average age range would be older.

5.2. Type of precarious work in the sector

The eleven month contract is the most common type of precarious contract in the telecoms industry. For example, Sky employs many of its staff on eleven month contracts. Once the contract is over, those workers are not given a new contract; instead they are replaced with someone new. This is also common in the retail side of the telecoms industry. For example, 4 years ago Eircom brought in an agency to recruit their retail staff. Not only was the contract for 6 to 9 months, it was a rolling contract; so people were working in these precarious conditions for 3 years with no job security. Equally, they were also denied sick pay, maternity pay, and a pension unlike people directly employed by these telecoms companies. According to an organiser in the CWU, it got to the point where most of their members in the Eircom, E-Mobile and Meteor retail side were agency staff.

5.3. Terms and conditions

At the moment, some companies are worse than others for relying on the labour of precarious workers. According to a senior organiser in the Communications Workers Union (CWU), “Three” relies heavily on employing precarious workers, and recently took over O2. Employees working for O2 were employed on permanent contracts and were relatively well paid. As a result, they were long-serving members of staff who stayed because there was career progression and they were generally satisfied with their working conditions. However, since “Three” took over, the company has been making many long-standing O2 employees redundant in order to impose a factory-floor model of churning of low paid workers with no sense of security or entitlement.

5.4. The consequences of precarious work in the sector

Like the financial services, where the workforce has been traditionally employed on permanent contracts with good terms and conditions, precarious contracts have crept into the industry through

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deregulation and out-sourcing. This has created a situation where precarious staff are working alongside long-serving members of staff on legacy contracts, doing the same work and feeling the same stresses while also faced with the insecurity of knowing that they are dispensable after the fixed term is up.

Similar to the financial sector, while permanent workers may not have a temporary contract, the feeling of insecurity is seeping into their working lives. This is particularly the case in call centres, where there are no precarious contracts per se, but are “managed out” through performance management systems, such as during their probationary period. Consequently, it is understood that even permanency has no meaning in this sector anymore.

6. The postal/courier sector

6.1. Background

Postal services in Ireland have similar origins as telecoms in that there is a nationalised postal service called An Post. However, the postal service has been opened up for deregulation, with thirty per cent of the postal services open for to private companies in 1998. Consequently, numerous other companies entered the market, such as FEDEX, UPS, DPD, Nightline, amongst other courier companies. This is a sector that is predominantly male and a range of ages.

6.2. Type of precarious work in the sector

In postal services, there is a lot less precarity because An Post is not only still owned by the State, but it is highly unionised. However, this is not the case other courier companies, who are new entrants into the market. Drivers in many of these courier companies work on a bogus self-employed basis.

6.3. Terms and conditions

FEDEX, Fastway and Nightline are examples of large international courier companies whose drivers are all self-employed. On the other hand, drivers in UPS and DPD are employees with benefits, and this could be attributed to the fact that the CWU have collective bargaining agreements there. In companies such as FEDEX, Fastway and Nightline, the drivers are defined as “owner drivers”. In total, this figure goes into the high thousands for all the owner delivery drivers and couriers in Ireland.

There is no employer/employee relationship, save that part of the definition where the work is directed. The courier drivers are paid per delivery, making the nature of their employment piece work; they are given a certain volume that they can take in their van, and they are paid for each item that they deliver. They are paid by the company, and there is a rate per item, which varies from company to company. The Organisational Working Time Act does not apply to self-employed workers, therefore they have no working hours; they work when they can work. The same applies to annual leave.

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6.4. The consequences of precarious work in the sector

Bogus self-employment in this sector has created a situation where the courier companies claim to not have any responsibility for the drivers who, due to the piecework nature of their employment, have to work hard in order to make a living. Furthermore, this employment practice is undermining the drivers in unionised companies who have good terms and conditions of employment because it can lead to a race to the bottom.

7. The public health Sector

7.1. Background

Generally, like the majority of public sector workers, hospital workers are employed on permanent contracts. It is important to note that agency work in the hospital sector has always existed, and was not triggered by the financial crisis. Hospital management claim that it exists in order to cover sick leave or if they are short staffed, and therefore access to an agency is on a needs basis only. However, agency workers in public hospitals increased after the financial crisis in 2008, when the government imposed an embargo on employing staff directly. This caused chronic under-staffing in the sector, and meant that they also still needed to employ people, and the only way they could get around it was by employing them precariously.

7.2. Type of precarious work in the sector

The prevalence of agency workers is hospital dependent; therefore, some hospitals have a higher level than others. The prevalence of agency workers is focussed on the “support” grade, and this grade includes porters, healthcare attendants, catering staff, and possibly cleaning staff, (depending if it has not been out-sourced). Laboratory aids and laboratory assistants, (such as people who sterilise the equipment in the hospital), also occupy this category.

7.3. Terms and conditions

Agency workers in hospitals are hourly paid (this rate depends on the agency), with no guaranteed hours; they are called in on a needs-only basis. They have no entitlements to benefits that permanent staff members are entitled to, such as sick pay and a pension scheme.

7.4. The consequences of precarious work in the sector

Employing agency workers in the sector creates a divide between them and the permanent staff members they work beside, because they are seen as temporary and there to cover a particular need in the hospital. They also lack the career progression that permanent staff members are entitled to.

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8. The home-help sector

8.1. Background

When a person needs home help, they are allocated a care package. The sector is split in three: there is a public, voluntary and private dimension to it. The voluntary sector is solely reliant on funding from the HSE, who contract them to provide homecare services. There are twenty-nine companies belonging to the voluntary sector operating in Dublin. The private sector has grown substantially in the last ten years; in 2007 there were approximately two private homecare providers, and in the last ten years this has since grown to forty-seven and counting. International multinationals have also begun to enter the private sector market. The private sector advertises other services that the voluntary and public sector do not, such as Alzheimer's care and moving into intellectual disability. Consequently, they are no longer solely offering the provision of traditional home help, (light domestic duties and light medical duties). This could make it more attractive to families.

Traditionally, the home-help sector employed predominantly older Irish females. However, at present the sector is made up of a very high percentage of employees with a wide range of ethnicities, of both genders. More young women are coming into the service, and males tend to be over thirty. Furthermore, most homecare workers have a minimum of FETAC level 5, which they would have had to fund themselves. There is no legislative requirement to have a qualification to work in homecare, however many employers insist that they have it.

8.2. Type of precarious work in the sector

In the private sector, the "if- and- when" contracts for homecare workers are the norm. The HSE- run services are where most homecare workers aspire to be employed because working conditions are better and more secure. The public homecare workers have guaranteed hours negotiated into their contract so that they must be paid for a set period of time. This is calculated according to the number of hours worked and then calculated over a period of time. Public sector homecare workers also have a pension scheme, which they can avail of.

8.3. Terms and conditions

The average rate of pay in the public is fifteen euro per hour; the voluntary sector is 11.50 – 12.50 euro per hour, and in the private sector, the rate of pay averages at approximately 10.50 per hour. Not only do homecare workers in the private sector lack guaranteed hours, but they also don't know the hours they are working from week to week. Furthermore, the lack of security extends to complaints made against them by a client; if a client makes an allegation against a carer they are instantly let go. However, in the public sector, there is a protection procedure in place.

Precarious homecare workers in the private sector receive statutory maternity leave, but it is unpaid. While they are entitled to take holidays, it has to suit the employer. This occurs even when they've applied in advance and it has been sanctioned. When it comes to getting time off, while they

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are covered by statutory legislative entitlements, management use a lot of guilt tactics to manipulate them into coming into work.

There is also a large amount of unpaid work in the private sector in the guise of travelling time from one client to the other. Neither do they get paid for staying longer with the client if they are waiting for the next carer to arrive, or if the client just requires more time with the carer.

8.4. The consequences of precarious work in the sector

Comparatively, while the turnover is high in the private sector, both the public and voluntary sectors are not. Due to precarious working conditions such as no guarantee of hours coupled with low pay and no travel allowance, there is no incentive to stay. Therefore, within the private sector it is quite common for homecare workers to move quite frequently from one provider to another: “I don’t like it because they promised me thirty hours a week and now it’s costing me to go to work and I can’t get thirty hours, I’m going to now look at (name of provider) because I contacted them and they’ve told me I can get thirty hours a week and they’re offering me extra money.” Consequently, turnover has an effect on the quality of care that a client receives.

The duties that homecare workers have to perform require that they are heavily invested in the work that they do because it is a caring profession. This means that it’s more than just a job, and this makes it difficult to refuse to do unpaid work. Consequently, one of the demands made by homecare workers has been to feel respected for the work that they do by their management team.

9. The food and drink manufacturing and agriculture sector

9.1. Background

There are two sides to this sector; manufacturing, which includes beverages (both alcoholic and non-alcoholic) and the processing of indigenous raw materials such as milk, cheeses, and yoghurts, and the processing and packaging of fruit, vegetables and meat. In general terms, the former is fairly well organised and has well established secure terms and conditions; however the latter is the complete antithesis.

Before the economic “boom” people employed in the meat industry had good rates of pay, bonus schemes, sick pay schemes, and it was a pensionable job. There was also a much higher union density rate. However, during the economic boom, many people also left the industry to work in construction. When employers in the industry saw the gap, they recruited and specifically targeted certain countries to bring workers in on a minimum wage, with no security of employment or entitlements. For example, migrant labour from Brazil factors very highly in the meat industry. Within the vegetable picking industry, such as mushroom picking, employers also targeted certain countries for migrant labour, such as Latvia and Lithuania.

There are also many agencies that provide labour to these meat and vegetable processing factories. Employers who contract agencies to hire the staff do so in order to have consistent labour without

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any of the responsibility. The demographic make-up of the meat and vegetable processing industry is predominantly male and migrant workers from specific targeted countries.

9.2. Type of precarious work in the sector

In the milk processing industry, there is a significant amount of seasonal work because employment is relative to when the milk starts to flow and the processors start the work. The milk processing industry employs seasonal workers, who work eight or nine months of the year. Generally speaking, it's the same seasonal workers that come back; however they are let go until they are needed the following year.

Typically, contracts in either the meat or vegetable processing industry would be on an "if and when" basis, and would say something along the lines of "up to 48 hours". Or it will say that the starting time is 8am and they are to work until finish. There are also many instances recounted by union organisers in this industry where people do not have a written contract.

9.3. Terms and conditions

Seasonal workers in the milk and dairy processing industry get the same entitlements as full time, permanent workers. They also build up their entitlement to redundancy; even though their employment is technically broken, the co-ops aggregate their service for redundancy purposes.

For the meat and vegetable processing industry, a union organiser recounts how:

"We've had examples of people who would have come to this country are still paying for the airfare; their passport was taken. They pay for their protective clothing, their tools required to do the job. There are often monies deducted from their salary and they don't know why; they're put down as miscellaneous."

Furthermore, there are people working in the industry that work with the agents to bring the workers in and supply the accommodation. So you have a situation where the workers are living together in crowded accommodation and paying rent to their employer through these deductions. This has created a situation of isolation and increased likelihood of exploitation.

Not only are these workers getting no entitlements such as sick pay nor a pension scheme, unpaid work is common. For example, there have been cases where they work for minimum wage but were not being paid past thirty-nine hours, yet they worked for forty-five hours. Consequently, this also means there are workers being paid below minimum wage.

When it comes to fruit and vegetable picking, workers can also be paid on a productivity measurement system, for example being paid for the total weight of the product they picked.

Again, like meat, there are a lot of workers in vegetable processing who are brought in as a group and not allowed to integrate within the wider community. There was one particular example of a mushroom company that went into liquidation and a number of people employed directly from

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Latvia by this company didn't have bank accounts and were saving their pay cheques. As soon as the company went into receivership, the cheques became worthless.

9.4. The consequences of precarious work in the sector

There is a high turnover of people in this sector, and the precarious nature of the work leaves people feeling too vulnerable and frightened to improve their working conditions within the sector. This leaves them open to exploitation, which has further consequences for the health and safety of the workers in these processing plants. Often, the attitude of the employer is that the workers are dispensable; that there are plenty of other people they can get to do the work. As a consequence, "people are treated like a piece of equipment because if the work is not there, I switch off the machine but I send the person home as well."

10. The construction sector

10.1. Background

At its peak in 2006/2007, the construction sector went from being a highly significant employer in the Irish jobs market, to having the highest unemployment rate at the time of the financial crisis and the subsequent recession. Not only did construction see this sudden dip in employment, but the Employment Regulations Order (ERO) for the industry, (underpinned by part 3 of the 1946 Industrial Relations Act) was deemed to be unconstitutional in 2011. This posited a further blow to working conditions in the construction sector because it meant that the construction worker's minimal terms and conditions set out in the ERO were no longer legally enforceable. The Registered Employment Agreement included a mandatory pension scheme, ten weeks of sick pay, a death in service benefit and rates of pay that everybody recognised as the basic rates.

There are two sides to the industry: the technical operative grades, (from the grounds staff, scaffolders, right through to the crane drivers), and the crafts, (brick layers, carpentry, plasterers and electricians). The sector is predominantly young and male. A lot of younger people who were unemployed in their early twenties have since joined the construction labour force, but so have a lot of men in their forties and fifties who previously left construction to work in other sectors. The construction labour force also has a large number of migrant workers.

10.2. Type of precarious work in the sector

Since the financial crisis hit, the industry has recovered somewhat, with approximately 9,000 extra construction workers since 2015. However, since the crisis, the construction industry is organised differently to what it was before. Previously, large construction employers would have had high levels of direct employment. While the industry had been moving away from this type of employment during the "boom" years, the financial crash exacerbated it. The predominant form of employment amongst technical operative grades is through agencies that employ them on an if-and-when basis. Among the trades, bogus self-employment features highly. However, it should also be noted that bogus self-employment is also found in the general operative grades.

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10.3. Terms and conditions

Previously, construction workers in the general operative grades would have expected to be out of work for four or five weeks in a year. However, an agency worker could be out of work for much longer; they could be out of work for half of the year. Moreover, as a result of the loss of the Registered Employment Agreement, the rate of pay is no longer based on a recognised standard of basic rates. At present, rates of pay depend on the level of activity in the geographical area. For example, pay can be higher in the greater Dublin area, (between 13.77 and 15.14 per hour - the old grade C or D rate in the REA) because there is a demand for it. However, where there is no demand, the pay is in many instances eleven euros per hour.

There is also anecdotal evidence that some construction workers are not paid for overtime after thirty-nine hours, and travel time, (unless the site is well regulated) is not part of their pay. Agency workers are also seldom offered a mandatory pension scheme that the employer contributes to. When it comes to annual while there is an entitlement to the statutory 21 days' annual leave, often it is at the discretion of the employer when they can take their holidays. Often construction workers have disputes with the agencies over holiday pay that was outstanding to them.

Bogus self-employment in the craft trades, (or RCT1 as it is often called in the industry) is forced on the workers; they are told that if they want the job, they must register as self-employed, or else the job will go to someone else. By forcing a self-employment status on trades' people, this leaves them bereft of any protection in employment law. Often, the first time that a construction worker is aware that they are self-employed is when they receive a letter from Revenue notifying them that the contractor has alerted them that they are employed on an RCT1. Their work duties are still directed by the contractor, but it means that they are left without an employee status, and the contractor has no social responsibility to these workers.

10.4. The consequences of precarious work in the sector

When construction workers are employed directly, they have the possibility of building up their skills levels. Contractors often trained their workers and got them into courses, and it was possible to build a relationship with the employer based on mutual respect. This kind of employer/employee relationship helped construction workers progress to better rates of pay and learn new skills that are transferable to other sites. This is not possible when employed by agencies; they are treated as a number and they feel dispensable.

Consequently, this has caused a situation where there is a high rate of turnover in the general operative grade (not so much in the crafts because they would be heavily invested in the trade they did their apprenticeship in). Again, construction workers like the work that they do and craftsmen who have served their time working in an apprenticeship have a pride in what they do. General operatives like the promotional aspect of their work, such as driving the machinery; this carries a certain status because you are seen to have some responsibility and central to the running of the site. Yet, the precarious working terms and conditions are not giving them the chance to progress up the general operative grade.

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11. The retail sector

11.1. Background

Before the mid-80s, a job in retail was regarded as good employment; the company invested in their employees, and many people were hired on an apprenticeship to learn the drapery trade. There would have always been full-time positions with a ratio in place that controlled for the number of part-time employees for every full-time employee. Entitlements such as pensions were also common, and people working in large department stores considered it a job for life. However, from the mid-eighties onwards, there was a de-skilling of the profession, and having qualifications or knowledge in the drapery trade was no longer deemed to be necessary.

In 2013, 46% of the entire workforce either worked in retail or the hotels and services sector. Retail workers are predominantly female. While the statistics collected by the Central Statistics Office (CSO) on employment in Ireland shows that there is a nearly 50:50 split in people employed in retail, this is because the category is inclusive of other sectors such as mechanics and wholesale and distribution, where the demographics in these sectors would be predominantly male. Retail is also a highly multicultural sector and most people employed in the sector are aged thirty-five years and younger.

11.2. Type of precarious work in the sector

The majority of employees in the retail sector are on part-time contracts, with regular or irregular hours. The employees with the most job security in retail are employed on banded hour contracts. People on banded hour contracts have a minimum of fifteen hours per week. If you work from twenty-twenty-five hours and you exceed that for a period of time, then those hours become yours. If hours become available, these must be allocated to existing staff first.

The majority of new entrants into the sector are on “if- and- when” contracts where they are guaranteed no hours; there is a legacy of “decent” contracts of employment that are now seen as the outlier. A twelve month contract is standard in retail. In many instances, they are let go and someone else is brought into replace them on the same contract because there is no case for unfair dismissal if it doesn’t go past the twelve months.

Since 2006, a key development in the industry in both the unionised and non-unionised sectors is that if an employee got a pay increase, the company reduces their hours and hire somebody new to do the same work on a lower pay-scale. There are also many instances where retail companies bring in new staff on temporary contracts that last eleven months and twenty days without being renewed. This is standard practice outside the unionised sector.

11.3. Terms and conditions

Employees in the retail sector are almost entirely considered low paid; even the highest paid have premium retail rates of pay of 14.60/14.89 per hour. The majority would be earning below that, with many employed on minimum wage. There are also many workers being paid below the minimum

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wage. In 2014, the National Employment Rights Authority carried out inspections, and on average for every inspection that they did that year, they recovered 900 euros of unpaid wages. They did 500 inspections and in total, recovered 292,000 euros of unpaid wages.

A significant amount of retail workers also claim Family Income Supplement (FIS) and part-time job seekers allowance. Those who work part-time but have secure hours are able to claim part-time job-seekers allowance; however those who have irregular hours are not able to do so. In this instance, those who have a family can claim Family Income Supplement.

In companies that are unionised, sick pay is addressed, but outside of the unionised sector it is not. The same goes for pension schemes, however even in unionised retail, the pension schemes are poor. Holidays and maternity leave are covered under the statutory legislation, however, when it comes to maternity leave, they usually only get social welfare entitlements and no payment from their employer. Paid overtime is no longer a feature in the retail sector, and there are also provisos in some stores for instance, where you cannot work anywhere else, and must be available when management call them for work.

11.4. The consequences of precarious work in the sector

There is no career progression for workers on the shop floor in retail. Most companies are inclined to bring in their management teams from outside rather than grow and nurture their own internally. The highest a retail worker can make it up the ranks is usually team leader, and sometimes assistant manager, but these are usually filled by predominantly male candidates, even though it is a female domain. Companies do not invest in their employees by giving them further training and education; any training they do get from employers is company specific, and usually for the company's needs.

There is a high turnover of retail staff. It had slowed down during the recession due to the limited job options available; however, it has gone back up again. Even though the working conditions in retail are insecure, people who go into it do love their job because they usually enjoy the interaction with customers. However, there is constant churning of employees because of the lack of progression, educational investment or training in many companies. Consequently, an organiser from Mandate said that "people are treated like tools; they are just as valuable to the company as a till is".

12. The contract services sector

12.1. Background

Contract services go under the radar because it is not a public-facing sector. Contract services are where the employer is a contractor; a client (for example a hospital), put their cleaning out to tender, and contractors compete for it, and the client makes the decision who to award it to. Contract services have been in existence for a number of decades, with the first contract cleaning Employment Regulation Order (ERO) in place in the late eighties. Contract services became popular because companies could keep costs down, but also focus on the core part of their business.

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The State is their biggest client. In recent years, procurement in the public sector has been centralised; companies now compete in a tendering process based on bulk procurement, (for example, the tender could include providing catering services to several university campuses). This process has resulted in the consolidation of the industry and the deterioration of working conditions because when companies compete for a tender, usually it comes at the expense of reducing labour costs, as that is one of their biggest operating costs.

If Noonan for example, wins the contract, the employees will transfer from whoever they worked for previously over to Noonan. This is covered under the Transfer of Undertakings Legislation (TUPE). While not all companies in contract services have bad employment practices, it was the act of outsourcing cleaning, catering, and security to other companies that made working conditions deteriorate and become more precarious. Employees hired directly rather than through contract services, (such as in the public sector in universities and hospitals around the country), have better pay, terms and conditions and security of employment. Notably, this is due to the tendering process that comes around every 3-5 years; every time the contract turns over, the employers compete in some way to reduce labour costs. This is done by increasing the productivity of the workers, such as reducing the number of people to do a task, thus reducing their hours.

There are approximately 30,000 contract cleaners and approximately 20,000 contract security workers around the country. Demographically, contract cleaners are predominantly female, and a range of ages from eighteen up to sixty-five. People who have been employed in cleaning for a long period of time are predominantly Irish; however, amongst the new entrants and the younger workers, there are a lot of highly skilled migrant workers. Contract security officers are have similar age and ethnicity demographics as contract cleaning, but predominantly male. Furthermore, it is quite common for there to be a number of retired police officers or army officers who go into security. In contract catering, chefs tend to be predominantly male and older, (chefs who have left the hospitality sector because they want day-time hours). Catering assistants tend to be predominantly female.

12.2. Type of precarious work in the sector

If we take a look at each contract service separately, starting with contract cleaning, many do not have a formal contract. Amongst those that do have a contract, many are hired on an if- and- when basis. Gradually, they may find themselves getting regular hours, but this is not done in an official capacity. An example of the wording that can be found in a cleaner's contract, (when there is a contract),

“You are on a flexible contract, up to 39 hours per week according to the business needs. Your days/hours of work will be varied according to the needs of the business up to 39 hours per week. Hours may change per week but will be according to the business needs”.

There is also a cohort of workers in contract cleaning who are classified as cover staff or relief staff, who are also hired on an if- and- when basis. They are notified at very short notice to cover sick leave.

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Some contract security staff may have contracts with specified hours, but commonly there are others whose hours are not secure, and the contract stipulates that they are required to work “up to 39 hours”. While the hours are generally part-time, they can be shift work as well because a lot of organisations require 24-hour security.

Contract catering is also similar to contract cleaning, where many are employed on an “if- and- when” basis. They are told that their hours can be anything between 0 and 39. Aramark is an example of a contract catering company where “if- and- when” contracts are used. They are a large multinational headquartered in Pennsylvania, USA that employs approximately 270,000 people worldwide. Aramark employs approximately 4,000 people in Ireland. This reveals that precarity in the Irish labour market is not limited to small businesses and enterprises, but is a feature in global corporations.

12.3. Terms and conditions

Contract cleaning is typically made up of low paid workers on low hours (many have to work for a number of different employers in order to make a living). The minimum rate of pay is 10.05 per hour, (increased since the Employment Regulation Order (ERO) was set up at the end of 2016). The majority of cleaners would be on the minimum rate. There is a sick pay scheme for contract cleaners, but because it is a contributory one, and they are low paid workers on low hours, they can't afford to contribute to it. There is no pension, and this also applies to contract security also. Maternity pay is limited to the legislative provision given through the Department of Social welfare.

Contract security is regulated; in order to be a security officer, you have to have a PSA license (Private Security Agency License). This allows for unions to negotiate for higher hourly pay rates because they can justify it on that basis, (the rate is higher than in contract cleaning, averaging at approximately eleven euro per hour).

People working in contract catering are also low paid; the rate of pay can vary, but the majority are on minimum wage. There are people who have been around longer who might have historical rates that they still hold onto, but new entrants are on minimum wage. For contract catering staff, the majority clock in on the unit they work. Some employers require them to clock out for their half an hour break, which is unpaid. But the overwhelming majority can't leave the site for legitimate reasons, such as health and safety issues associated with being food preparation workers.

Contract services staff usually only get their roster a day in advance, or they could be told that they are needed at very short notice to do cover work. In some places the roster isn't an issue because a pattern has built up and people just know what hours they're doing every week. But in other places it changes on a weekly basis. For contract catering, it should be relatively simple to plan rosters in advance, because their business is very regular; they know exactly when they will be serving food and the number of people they are serving food to. It doesn't have the vagaries of a public-facing business.

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By employing people on an “if- and- when” basis, employers can use it as a control mechanism in order to ensure workers comply, (such as coming in at short notice when understaffed), or else face losing their hours the following week, or worse still may not be called back. The issue of unpaid work arises in contract catering when staff are asked to work additional hours because the unit is understaffed, and they are not paid, resulting in underpayment of hours worked that were over and above the rostered hours. This is not a particular feature in contract cleaning or security.

12.4. The consequences of precarious work in the sector

People who work in contract cleaning, security or catering have a sense of pride in the work they do. Therefore, when the hours are cut, and this impacts on the quality of the service that they can provide, this has an impact on job satisfaction. For example,

“An employer contractor wins a new contract and the next thing they’re told we have to take hours out of this contract per week. There’s the impact obviously around cutting people’s hours and the effect that has on people’s take home pay. But just as much, the cleaners are very vocal about the fact that we won’t be able to walk out of here at the end of my shift feeling satisfied that the place is clean. So they’ll want to feel satisfied that they’d done a good job and the place is clean.”

Contract services staff also feel invisible and that management “don’t see them as human beings at all; they just see them as objects that are there to get the job done”.

13. The hospitality Industry: the bar sector

13.1. Background

The bar trade was a regulated sector up to approximately fifteen years ago. People who wanted to work in the profession took an apprenticeship, but that has since gone. Again, it is almost a reflection of de-skilling in retail; they (the employer) want people who are available to them for the hours that they want them for. The nature of the bar sector changed from being family run Public Houses to major chains. Even the nature of the work has changed; bars have diversified into food. The sector is predominantly made up of males varying in ethnicity and age, (eighteen to thirties), although in more recent times, females have also become more prominent in the sector.

13.2. Type of precarious work in the sector

The industry is so casualised that many do not have a formal contract; some are hired by word of mouth. There is very little training involved; some are shown how to pull a pint and that is it. Mandate Trade Union conducted a survey of 783 bar workers, 41% of those surveyed are on permanent contracts, 21% are on fixed term contracts, and 37.22% say they don’t know what type of contract they have because they don’t get a contract. 44% of those surveyed had not been issued with a written copy of their terms and conditions. 50% of respondents are on part-time flexible contracts.

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13.3. Terms and conditions

Entitlements are limited to those provided in statutory legislation; there is neither sick leave nor a pension scheme. Many workers in the bar trade would not get breaks, and the legislation in the Organisation of Working Time Act that provides for twelve- hour breaks is non-existent. Split shifts are also predominant in the business, whereby an employee could be in for a few hours and then have to return later to complete the remainder of their shift.

According to Mandate's survey of bar workers, 48% of those surveyed perform work they are not paid for such as working beyond their rostered hours without pay. 92% are not on a pay scale; so they are given a flat rate (minimum wage in most cases). 86% do not receive additional pay for working on a Sunday and 55% do not get proper breaks in work. 50% of those who answered do not get enough advanced notice of their working hours, and 61% do split shifts.

13.4. The consequences of precarious work in the sector

There is a high turnover of staff in the bar industry; 22% of those surveyed are less than two years working in the bar trade; 50% of those working in the bar trade are less than 5 years working in the sector. Consequently, due to the highly insecure and precarious nature of the work, like in other sectors mentioned before, they feel devalued for the work that they do, and fear challenging bad work practices.

14. The hospitality industry: the restaurant sector

14.1. Background

The restaurant sector has gone along the same lines as the bar and hotel sectors; previously this was a profession that was considered to provide good, steady employment, where people could carve out a career. It was common for some restaurant workers to go to catering college and get a qualification in it. Now, the sector has experienced de-skilling of its staff (along the same lines as retail, bar and hotel workers), where they are contracted on a casual basis and as a result, they feel dispensable.

There are a wide variety of people working in the sector; like other sectors within hospitality, there is a contingent of student workers, and a mixture of Irish and migrant workers in the sector. Furthermore, there are restaurants that employ many undocumented workers, where the conditions these people work in are described as being even worse than for ordinary workers; if a restaurant employs someone from outside the EU, and they work on a visa, they can use this against the individual.

14.2. Type of precarious work in the sector

Again, like much of the hospitality industry, most people working in restaurants are employed on a casual basis. Full-time and part-time contracts with guaranteed hours are considered to be a rarity.

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This has now been replaced with part-time irregular hour work, where people find out from week to week what their hours will be.

14.3. Terms and conditions

People employed in the restaurant sector work long hours, and working long hours on a flat rate is common. While minimum wage is the average in this sector, there are some restaurant workers who are paid less than the minimum wage.

For some restaurant workers, they are given food during their shift. In some restaurants, they are charged for this food, which they may never have consumed in the first place. It has also been the case where some restaurant workers have been charged for this food, even when they were on leave. Furthermore, for many restaurant workers, they are unable to take their breaks because they are expected to keep the same work standards but perform these tasks in less time.

Often, there is a lot of unpaid work such as doing overtime, where management will attempt not to pay them for the extra hours they worked. Furthermore, when they are paid for overtime, it is on a flat rate, regardless of whether they worked day or night. It is difficult for workers to challenge management in these circumstances, because they can be punished by not being put on the roster or having their hours decreased.

14.4. The consequences of precarious work in the sector

The restaurant sector as a whole is seen as not a particularly friendly industry to work in. People who have worked in the sector for longer have seen the changes that came with the de-skilling of the profession, and this has caused a situation where workers don't see the point of moving to another employer in the restaurant sector, (even if they are unhappy with their current one) because they feel they will just be going from one bad place to another. Previously, there was a sense of pride for chefs and waiting staff employed in certain restaurants, but not anymore.

15. The hospitality industry: the hotels sector

15.1. Background

Within the hotel sector, there are a range of roles a person can be employed in, such as housekeeping, catering (bar and restaurant services), reception and managerial. Like the bar sector, the hotels industry was not always as precarious as it is now. Over ten years ago, getting a job in a hotel was considered a good place to work because there was career progression. Previously, many people who went into the hotel sector did so when they were finishing school, and had an idea what hotel they wanted to start and finish their career in. It was possible to start your career in an entry level position, get to know how the hotel functioned by working in various roles over the course of their employment, and to move their way up the career ladder.

As an organiser for hotel workers in SIPTU articulated:

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“You will still meet people who worked for twenty or thirty years in the same position, but even they say it is getting worse because they are being pressurised to change. Their terms and conditions may have been changed over the years, from having a full-time or part-time contract to a casual contract”.

The situation at present for hotel workers is that it is very rare to find full-time or even part-time guaranteed hours’ contracts in the sector. This was triggered over ten years ago, when employers began to hire people with neither qualifications nor experience to work in the sector. This culminated in the de-skilling of the workforce, and consequently employers could justify diminishing the contract terms and conditions for new entrants on this basis. Another significant event that further cemented precarity in the sector was the collapse of the JLC in 2011. Up until that point an ERO was in place for the hotel sector, with minimal terms and conditions bound into a collective agreement that was negotiated by employers and trade unions.

The sector is made up largely of migrant workers, and there is a mixture of people who are fluent in English and those who are not. There is a cohort of students employed on a casual basis also. There is still a small amount of Irish workers employed in the sector, and some long-serving employees who started when it was still considered to be good, secure employment over twenty years ago. The age of employees ranges from people in their twenties right up to their sixties. Gender is role-dependent; for example, housekeeping is predominantly female but porters are predominantly male. There is an equal mixture of males and females working as reception and bar staff.

15.2. Type of precarious work in the sector

The hotel sector operates on a seasonal basis, so that there is more work and more hours available during high seasons, (such as during the summer), and fewer hours during low seasons. Hotel employees are predominantly employed on a casual basis, largely on “if- and- when” contracts, with no guaranteed hours. In some places, there is also evidence that people are working without written contracts.

15.3. Terms and conditions

Hotel workers are covered by statutory legislation regarding holiday pay; however they receive no sick pay. Most hotel workers (especially in housekeeping), are on the minimum wage; the only pay rise they have seen in the past ten years has been the statutory pay rise.

Holidays can be a problem, and for many, (unless they have a good employer), it has to suit the managerial staff. For example, due to the seasonality of hotel work, Christmas and summertime are busy periods where they need staff. However, for members of staff who have children, these are also periods when they are off on holidays and they may want to take their holidays to coincide with this. As a result, they may not get their holidays approved.

The biggest problem for a lot of workers in the hotel sector is rostering. They can be rostered in for certain hours and on certain days, only to find out on their arrival to work that they are not needed. Workers in the hotel sector are also being pushed to do more work in less time. Consequently,

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housekeeping staff have complained that “it is not possible to keep the same standards, yet be pushed to actually clean the room in less time, then move on because if not we can be punished”.

However, housekeeping staff are also punished if they don't clean the room in less time whilst keeping the same standard. They are expected to clean all rooms, whether it is a penthouse suite or a standard room, in the same time. Furthermore, different hotels deliver different services to their guests; so sometimes housekeeping has additional cleaning obligations. In some places, housekeeping staff are monitored by wearing a time and motion monitor during their shift. An example where this happened was cited by an organiser for hotel workers:

“There was a hotel that was changing the system of work. So they were pushing people in accommodation to speed up. So, not only were they after taking pay cuts, the management took an approach that they would speed up the process of work and reorganise everything. So, they told them that they have less time to work. Now, when housekeeping staff started to question this, management started bullying them. Some women told me that they were coming home in tears and they couldn't take it anymore. For some of them, because they didn't have good English, they were being told that if they want to continue that they had to go along with management, or else they would not find another job.”

Consequently, this causes a scenario where workers have to perform unpaid work in order to ensure that the standards required by management are maintained. Only in hotels where housekeeping staff have a good supervisor that helps them, can the propensity for unpaid work be alleviated.

Moreover, health and safety violations are a big problem that is persistent in the sector. This has come as a result of staff being afraid to speak up when they are being asked to do something that is unsafe, because they do not want to lose their hours. For example, if a member of staff in housekeeping is pregnant and speaks up to say that they can't lift a mattress, if they don't work at this unsafe level of productivity; management can threaten not to allocate their hours.

15.4. The consequences of precarious work in the sector

Bad work practices are hotel/hotel chain-dependent; unfortunately for the sector, there are very few hotels that still have some security and decent terms and conditions for their staff. For this reason, there is a high turnover in all areas of hotel employment (except management), where they move from one hotel to another. In reputable hotels/hotel chains, they try to keep the core staff, and replace some staff with seasonal workers.

While housekeeping tends to be the most precarious area to work in, there are some hotels where this is pertinent in all domains. Consequently, workers in the hotel sector complain of a lack of appreciation and respect. The territory that comes with the job is one of fear, frustration and of sadness. Consequently, they just accept these working conditions so that they don't lose their hours. For those who develop injuries as a result of health and safety violations, when this problem becomes serious enough that they can no longer work, they can lose their livelihood.

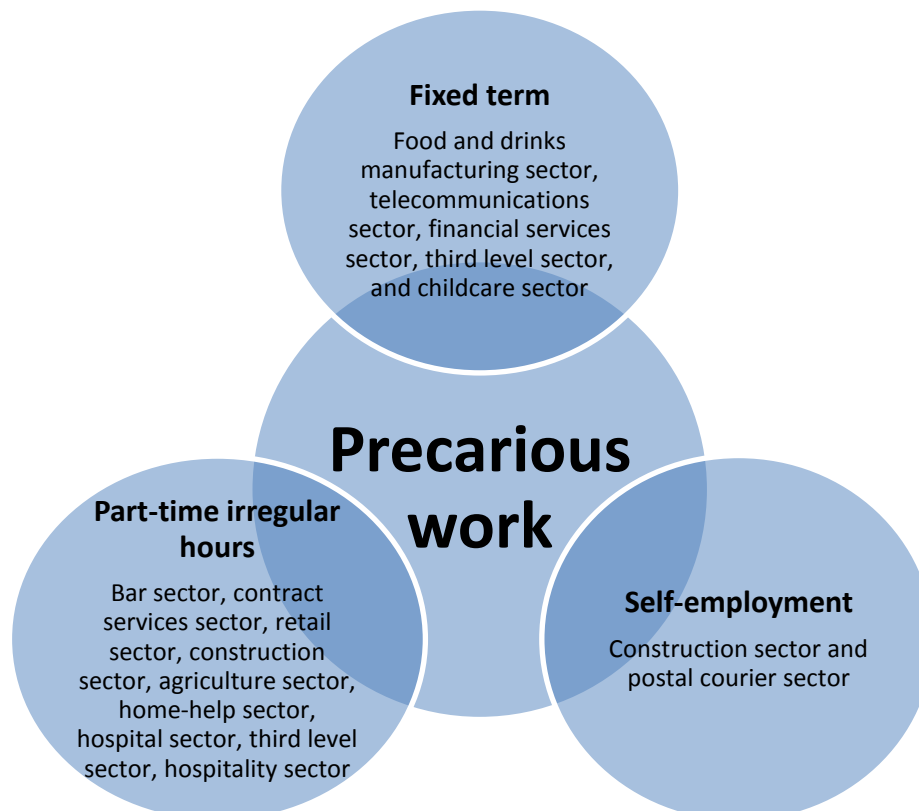
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Furthermore, the diminishing pay, terms and conditions of people employed in the hotel sector has created a situation where “hotels are saying, it’s another great year for us, we just made another so many million in revenue. Where is the motivation for a worker who took pay cuts, who was taken away from a bonus system, who has no possibility to actually get promoted, who is let’s say, ten years on the same pay?” Consequently, workers in the hotel sector do not have the possibility to learn and progress as a worker, (and as a person as well).

16. Discussion

This paper has provided an in-depth account of the sectors where precarious work, in the form of fixed term, part-time irregular hour’s contracts and self-employment, are prevalent or where they are beginning to become a feature of employment practices in Ireland. These have been identified through in-depth qualitative interviews with 15 trade union representatives who have done extensive research and mapping of the individual sectors they organise. They are also in touch with workers in these sectors on a daily basis. While there may be striking differences between each of the sectors in terms of the work that they perform, and the type of temporary contract that is prevalent in each sector, there are some notable themes that they have in common. Figure 1 identifies what type of precarious work is typical in each of the sectors described above.

Figure 1: type of precarious work by sector



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Working with workplace insecurity

In all sectors described in this paper, job insecurity is a major issue for people on precarious contracts. There is a notable desire expressed by all trade unionists who have spoken to both unionised and non-unionised workers in their respective sectors, to know what hours they are working and that they will have job security. For part-time workers, security for them means knowing that they have set hours per week, and that this is not at the discretion of management. For people working on fixed term contracts, it's about having the security of a permanent contract; that they can make plans for the future, that they will be entitled to redundancy and all the other benefits associated with permanency. At the moment, while there is a possibility of an extension or for the contract to roll over continually, when a person is on a fixed term contract, it is only a possibility. For the bogus self-employed (people forced to work as self-employed), security is working on the basis of an employer/employee relationship because at present, the work is directed by a company, but the company bears no responsibility for the self-employed person.

Increasing pay is not enough

While pay increases are always welcomed, when it comes to precarious work, it is not always a number one priority. This is because of the temporary or irregular nature of the work. For part-time irregular hour workers, when they have received pay increases, (for example in retail), the employer is able to claw this back by reducing their hours. For a fixed term worker, increments will not have much of an effect because if for example they have a one year contract, increments that are set for permanent workers will not apply. For those who are bogus self-employed, if their work is piecemeal or they do not have other entitlements in their contract with the company, it means they still have to work long hours in order to make a decent living.

Missing work-place benefits

A lack of entitlements to benefits such as pensions, paid maternity leave, overtime, and sick pay are a feature in all precarious forms of employment. Some sectors with precarious contracts experience a complete loss of all entitlements whereas others may still be entitled to some, such as sick pay or holiday pay. A notable entitlement that is absent from all forms of precarious employment discussed above is a mandatory pension scheme, which the employer contributes towards. While some younger precarious workers may not see it as a priority in their lives at present, (with more pressing priorities such as paying for accommodation, food and bills), it has implications for their future and their ability to afford not to work past retirement. When it comes to sick pay, because most people employed on precarious contracts are not entitled to it (except for people employed on fixed term contracts, who are entitled to the same benefits as a permanent worker), it means they will work when they shouldn't, which has implications for the health and safety of employees.

Progressing is not an option

Precarious work has also introduced a scenario where people employed on such, do not experience career progression, nor do they receive investment of their skills through educational or training

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courses. Where there is training, it is normally to satisfy the need of the employer and the training received is not considered to be particularly useful or transferable to other workplaces. Traditionally, training and education was used in order to progress the employee to a higher pay-scale, even if the work remained hourly. With the advent of precarious contracts, this investment is gone but so is the idea of career progression. For fixed term workers in sectors where there is still some career progression, this is only for permanent employees. For part-time irregular hour workers and self-employed workers, there is no ability to increase their hours so as to go up an incremental scale, like those who are on banded hours contracts. As a result, where there is a prevalent use of precarious working contracts, this is followed by a high turnover. If there is a constant churning of employees, this has particularly negative implications for the quality of services that an employer provides.

Performing unpaid work

Unpaid work is a common feature in all of the precarious contracts mentioned above. Due to the hourly nature of part-time work, it means that anything out of that hour is not paid for (including travel time if working with different clients). When there is preparatory work involved, this time is often not taken into consideration in the wages, and when it is, the rate calculated is not considered to be adequate for the amount of time put into it. There are also instances where employees are paid for a set amount of hours, (such as in the hospitality/bar sector), but are expected to work beyond that, whether it is after closing hours clean up or in order to complete the work the employer expects them to do in a shorter space of time. In many instances unpaid work is allowed to persist due to the fear of either being let go or not given any hours if they refuse to do it. Furthermore, for those who are on fixed term contracts, they may think that by doing unpaid work, it might impress their employers to give them a permanent contract.

Experiencing disrespect from management

A common theme reported throughout the various sectors listed above is a lack of respect by management for the work that they do. A lack of respect came as a result of a culmination of all the themes listed above, such as being punished or manipulated into doing something by not allocating hours, or simply the insecurity of not having guaranteed hours and low pay. There is a sense that these conditions leave precarious workers feeling devalued. If a person is on a fixed term contract, often they measure their terms and conditions against other workers who work alongside them but on standard/permanent contracts. For people working part-time irregular hours, it is the lack of secure hours and the lack of notice given before being rostered for hours, or the cutting of their hours that leaves them feeling devalued. Often, as a result, they felt dispensable, like the machinery with which they worked with.

Controlling workers through insecurity

The lack of security for precarious workers keeps them in a state of fear, often feeling anxious and vulnerable about their employment. This fear and anxiety is used to control workers in order to comply with the work needs of the employer. For employees hired on part-time irregular hours, management regularly use the allocation of hours as a method to punish those who complain about

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a particular work practice or a health and safety issue. It is also used as a threat (spoken or not) when employers require someone to come in when they are understaffed. The same can be said for fixed term workers who may be punished for the same reasons by not having their contract renewed. This has caused a climate of fear amongst precarious workers, who are not willing to speak up, or are not willing to challenge their employer on a health and safety issue. This is detrimental for employers because dangerous work practices or problems within the workplace will go unaccounted for as a result of this fear, having detrimental consequences for other people in the workplace itself.

Dedication for the work they do

Often, what has kept people from giving up and leaving their precarious jobs entirely, has been justified by the love and devotion they have for the work that they do. Where the job entails caring or teaching other people, it is difficult to leave the insecure working conditions and find another more secure job because they have built a personal relationship with the individuals they look after. For other professions that don't deal with people, the love is still there for their profession and a sense of pride in what they do, making it difficult to enter into a new profession that has more security. This is probably to the detriment of people working in these sectors, who accept worse terms and conditions as a consequence of the personal attachment they have to the work they do.

17. Conclusion

There are people working precariously (fixed term, part-time irregular hours and self-employment), in most sectors, however it is more prevalent in some sectors than others. Noticeably, many sectors such as third level, childcare, postal and telecommunications that would have traditionally employed people on standard permanent contracts are now turning more and more to precarious contracts. Even though there may have always been a small percentage of irregular part-time work in some of the sectors, employers are increasingly relying more on temporary contracts. Moreover, precarious contracts are being imposed on new entrants, whereas the standard contracts that include permanency, better pay and workplace entitlements, are becoming a legacy for long-standing workers in many of the sectors listed above. These employees are slowly being phased out either through retirement, out-sourcing or redundancy.

Furthermore, in some sectors such as the financial services and telecommunications where standard contracts are still the majority, permanent employees no longer feel secure because of performance management systems. This reveals that precarious working conditions are seeping into the working lives of permanent employees who may in many instances work in the same place as other precarious workers.

When looking at the various sectors listed in this paper, it becomes apparent that for the majority of cases, the promotion of precarious work practices is policy driven. This is done in two ways: through government funding and through legislation. In childcare, third level, homecare, and public health, funding is decided by the government, for instance the childcare ECCE scheme, restrictions imposed on hiring permanent staff in third level and public hospitals, and diverting public funds to private homecare companies. In sectors such as retail, hospitality, construction, postal (couriers), contract

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services and agriculture/ food processing, precarious work is being driven through the lack of legislation to eliminate irregular hours in part-time work and bogus self-employment.

Therefore, it remains to be seen what social implications precarious working conditions have for people employed in Ireland, and if and how the lack of employment security, (which was such a prominent feature of these interviews), affects the lives of people working on temporary, fixed term, part-time irregular hour contracts and self-employment.

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