## Employment Law Comparison between Ireland and the UK

<table>
<thead>
<tr>
<th>Ireland</th>
<th>Comparison</th>
<th>The UK</th>
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<tbody>
<tr>
<td><strong>€9.25 per hour</strong></td>
<td><strong>£7.20 per hour</strong></td>
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<td>Not applicable. Minimum obligation is to provide employees with access to a Personal Retirement Savings Account and facilitate deductions from the employee’s salary and the payment thereof to the nominated account.</td>
<td>An auto-enrolment of employees into a workplace pension scheme if they are not already in one.</td>
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<td>A 15 minute rest break every 4.5 hours, 11 hours consecutive rest every 24 hours, 24 hours consecutive rest every 7 days and a mandatory 48 hour working limit.</td>
<td>A 20 minute rest break when daily working time is more than 6 hours, 11 hours consecutive rest every 24 hours, 24 hours consecutive rest every 7 days. Mandatory 48 hour weekly working limit which employees can opt out of.</td>
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<td>No automatic TUPE transfer on a service provision change.</td>
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<td>There is no provision for statutory sick pay.</td>
<td>Statutory sick pay is payable to qualifying employees for a period of four days or more, the maximum entitlement being 28 days in a three year period.</td>
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<td>4 weeks where an employee works at least 1366 hours a year plus 9 public holidays.</td>
<td>28 days inclusive of bank holidays.</td>
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<td>No statutory retirement age.</td>
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<td>26 weeks’ paid maternity leave (paid by the State subject to an employee’s PRSI contributions) together with an optional 16 weeks’ additional unpaid maternity leave. An employee must commence maternity leave at least 2 weeks before the expected due date and she is not permitted to work for a period of at least 4 weeks following the birth of the child.</td>
<td>26 weeks’ ordinary maternity leave and 26 weeks’ additional maternity leave. Statutory Maternity Pay is paid to “eligible” employees for up to 39 weeks, usually as follows: the first 6 weeks, 90% of their average weekly earnings and the remaining 33 weeks, £139.58 or 90% of their average weekly earnings (whichever is lower). Employers can recover 92% of payments, and more if they qualify as a “small employer”.</td>
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<td>Discrimination is prohibited on nine distinct grounds; gender, civil status, family status, sexual orientation, religious belief, age, disability, race (including nationality, colour or ethnic/national origins) and membership of the Traveller community. An award of compensation of up to a maximum of two years’ remuneration, reinstatement and/or re-engagement can be made. Order can also be made for equal treatment / specified action. If an employee claims to have been discriminated against on grounds of gender, there is no limit on the amount of compensation which can be awarded.</td>
<td>Discrimination is prohibited on nine distinct grounds; sex, race, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion or belief, sexual orientation and age. There is no upper limit on compensation for discrimination.</td>
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</table>
## Employment Law Comparison between Ireland and the UK continued

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| **Notice On Termination** | The notice an employee is entitled to depends on their length of service:  
• Less than 13 weeks’ service – none  
• 13 weeks to 2 years’ service - 1 weeks’ notice  
• 2 years to 5 years’ service - 2 weeks’ notice  
• 5 years to 10 years’ service - 4 weeks’ notice  
• 10 years to 15 years’ service - 6 weeks’ notice  
• More than 15 years’ service - 8 weeks’ notice  
An employee is only required to give an employer one week’s notice irrespective of his or her length of service. | **Unfair Dismissal** | An employee must have been continuously employed for a period in excess of 104 weeks and be aged 16 and upwards.  
The statutory redundancy payment is 2 weeks’ pay for every year of service plus a bonus of one week’s pay – capped at €600 per week.  
No maximum statutory redundancy payment. |
| **Redundancy** | **Termination Payments** | The first £30,000 of a termination payment made in connection with the termination of employment can be paid tax free provided it is not otherwise taxable as earnings. Payments over £30,000 are subject to income tax but not national insurance contributions. |
| **Unfair Dismissal** | **Whistle-blowing** | A protected disclosure includes reporting:  
• A criminal offence  
• That someone’s health and safety is in danger  
• Damage to the environment  
• That there is a miscarriage of justice  
• A failure to comply with a legal obligation  
• An attempt to cover up any of the above  
There is no statutory cap on the compensation available if an employee is unfairly dismissed for making a protected disclosure |

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