



04/03/2026

To whom it may concern,

Rubicon Archaeology (Formerly Rubicon Heritage) are a commercial archaeological firm, based in County Cork (with branches in the UK and Germany). We currently employ 41 staff based in Ireland of which 32 are archaeologists and 9 are support staff.

We have attended information/ discussion sessions hosted by Unite in the past two years regarding the proposed submission of an application for an SEO.

We note that the **Notice of Intention to Conduct an Examination into Terms and Conditions in the Commercial Archaeology pursuant to Section 15 of the Industrial Relations (Amendment) Act 2015** has been published and we wish to make the following submission:

In principle, Rubicon Archaeology has no objection to the introduction of an SEO. We believe it would provide clarity for employers and establish a transparent baseline across the sector, supporting companies that prioritise staff welfare and high professional standards.

However, as an employer we do have some concerns about how the SEO will come into force and be implemented.

- We feel it is important to have a run-in of at least 6 months to the implementation of an SEO to allow increased costs to be factored into tendering.
- We consider a staggered introduction essential. The proposed minimum rate of €22.50 represents a 29.8% increase on our current lowest archaeological grade. Maintaining appropriate pay differentials would require corresponding increases across all grades, resulting in an approximate 30% overall rise in labour costs. Implementing such an increase in a single step would be extremely challenging. A phased approach—for example, three 10% increments over an 18- to 24-month period—would be more manageable.
- We would also strongly recommend that any future increases to the €22.50 rate be planned well in advance. Ideally, the SEO would incorporate a minimum two-year forward framework to provide cost certainty and allow for proper financial planning.

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Rubicon Archaeology Limited is registered as a private company in Ireland
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- It is critical that the SEO be drafted in a manner that prevents loopholes which could allow unfair competitive advantage. We understand the SEO is proposed to apply to “archaeological workers”, but this term may be open to interpretation. There must be no scope for companies to employ unqualified personnel, or staff without archaeology referenced in their job titles, to carry out archaeological site labour under alternative designations (e.g. General Operatives or Labourers) at rates below those set by the SEO. The Order should apply to all individuals undertaking labour on archaeological sites.
- Clarification is also required regarding support staff who do not directly carry out archaeological work but provide essential operational support (e.g. administrative and logistics staff). The SEO should clearly define its scope in this respect.
- A significant concern relates to long-running legacy contracts. Major infrastructure projects often continue for many years beyond fieldwork, due to post-excavation analysis, reporting and publication requirements. A group of employers, including ourselves, sought clarification from Transport Infrastructure Ireland (TII) on this matter. In correspondence dated June 2025, TII indicated that while it would apply SEO conditions to contracts it holds directly, it can only make recommendations to sponsoring agencies where it acts as Approving Authority. As our contracts are with Local Authorities, this provides no guarantee that implementation of an SEO would trigger budget adjustments for existing contracts.

If an SEO comes into force, it would not be feasible to maintain different wage rates between staff working on legacy contracts and those on new contracts subject to the SEO. Consequently, existing projects would need to absorb approximately 30% increased labour costs without corresponding contractual adjustments. We are uncertain as to the Labour Court’s authority in this matter; however, if possible, public bodies should be required to accommodate claims for compensation arising from the implementation of SEO conditions on all infrastructure projects that remain active at the time of commencement.

Thank you for the opportunity to make this submission.

Signed:

Date: 03/03/2026

Patricia Long, Managing Director

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