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3rd February 2023

The Secretary
The Labour Court
Lansdowne House
Lansdowne Road
Dublin 4

By email: esubmissions@labourcourt.ie

Notice of intention to conduct an examination into terms and conditions in the Construction Sector pursuant to Section 15 of the Industrial Relations (Amendment) Act 2015 (the "Act")

Dear Chairman and Members of the Labour Court,

We, as the Trustees of the Construction Workers Pension Scheme (the "**Scheme**") and the Construction Workers Sick Pay Trust (the "**Sick Pay Scheme**"), wish to make a submission in relation to the above notice (the "**Notice**") as issued by the Labour Court.

We wish to make representations in support of a Labour Court recommendation for the making by the Minister of a Sectoral Employment Order ("**SEO**") under Section 17 of the Act, in order to specify the minimum requirements for pension, death benefits and sick pay entitlements arising in the context of employment in the construction contracting sector.

Briefly, by way of background, the Scheme is an industry-wide occupational pension scheme which provides for the retirement savings of over 341,811 members in total, which includes 53,771 active members and 8,258 active employers in the broad construction sector.

As you may be aware, the Scheme has been in operation for over fifty years and has been providing pension and death in service entitlements for workers in the construction sector during this time. In so providing the Scheme has gained technical and specialised experience in this sector, and of the specific needs and pension requirements of members of the construction sector workforce. Accordingly, the Scheme has developed a range of benefits and entitlements for that workforce on this basis.

Similarly, the Sick Pay Scheme is also an industry wide scheme for the payment of sick pay benefits to the construction sector workforce. It is separate to the Scheme but closely linked to it, in terms of administration and membership.

It is particularly noteworthy that workers from the age of 15 and upwards can join and contribute to the Pension Scheme and the Sick Pay Scheme until age 70.

It is our strong belief that the provision of minimum terms and conditions and reasonable rates of contributions relating to pension, death benefits and sick pay for workers in the construction contracting sector would be of great benefit to those workers and their families. Beyond those immediate benefits, we also believe that such provision would be of wider societal value.

It is our view that by providing for minimum pension terms and conditions, workers in this sector, will be in a position to benefit from a minimum level of retirement income, which will become available to them in addition to the State pension, upon retirement. We would respectfully submit that a recommendation of minimum levels of conditions and rates would be broadly in line with this Government's policy to increase the number of members

participating in occupational pension schemes in order to reduce the sole dependency of workers upon the State pension.

By providing for minimum death benefit entitlements for workers employed in the construction contracting sector, it will ensure that the families and dependents of such workers have a sufficient level of protection in the event of death prior to retirement of a worker in the construction contracting sector.

The availability of sick pay benefits at a basic level will provide a minimum safety net for workers who fall sick, assisting them to re-enter the workforce.

We would welcome the opportunity to appear before the Labour Court to answer any questions it may have in relation to this submission or indeed, in respect of the Scheme and Sick Pay Scheme.

Yours faithfully,



Dominic Doherty
Chairman Construction Workers' Pension Scheme