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AN CHÚIRT OIBREACHAIS
RECEIVED
23 DEC 2025
LABOUR COURT

unite
theUNION

Ireland Region

Labour Court Secretariat
The Labour Court
Lansdowne House
Lansdowne Road
Ballsbridge
Dublin 4

23rd December 2025

Re: Request to the Labour Court for the examination of the terms and conditions of employment in the Commercial Archaeology Sector with a view to establishing a Sectoral Employment Order (SEO) as provided for in the Industrial Relations (Amendment) Act 2015

Dear Registrar,

We apologise for the delay in returning our response to your correspondence of 24th September 2025. For ease of reference, we have included and tabulated all exchanges between Unite and the Labour Court to date.

In the next section, we respond to the points raised in your letter of 24th September in order of your numbering:

Point 1
Whilst the archaeological sector employing non-licensed commercial archaeologists does not have an individual NACE number due to the relatively small numbers of practitioners, they nonetheless, in our view, constitute a sector of the economy within the meaning of the Industrial Relations (Amendment) Act 2015 (the Act). Further details are provided at **Appendix 1** of this communication.

Point 2
In response to the request for details on the qualifications, skills, and knowledge required for this economic sector, as referenced in Section 13 of the Act; although many workers hold degree or master's level academic qualifications, there is no single accrediting body specifically for commercial archaeologists and therefore no defined set of qualifications to capture the sector by. Instead, the *"specific economic activity"*

these workers are engaged in is determined by the nature of their work and *"the specific skills and knowledge"* they acquire both on the job and through academic study. We therefore seek to ensure that all workers operating in the commercial archaeology sector as non-licensed archaeological workers are recognised within the sector based on their practical experience and learned competencies. **Appendix 2** of this communication provides details of the distinction between licensed and non-licensed archaeological workers.

Point 3

Non-licensed archaeologists perform essential archaeological duties critical to the operation of commercial archaeology. These include, but are not limited to:

- Desk-top assessments: Assisting in, or undertaking, Archaeological Impact Assessments, Underwater Archaeological Impact Assessment, Environmental Impact Assessments, Built Heritage Impact Assessment.
- Surveys: Assisting in, or undertaking, Geophysical Survey, GIS analysis, LiDAR Assessment, Buildings Recording, Geomatics Survey, Drone Survey, Photogrammetry, Underwater Archaeological Survey.
- Excavations (including Archaeological Monitoring of groundworks, Test excavations, Excavation in Area): Identification, manual excavation, and recording (scale drawings, photography, written record) of archaeological deposits, features, and sites. Archaeological workers with suitable experience (e.g. supervisors) often are involved in the supervision of sites both in the absence and presence of the licence holder, as well as training and supervision of junior staff.
- Post-Excavation Services: Processing of artefacts and ecofacts, artefact illustration, assessment and analysis of site record, use of computer aided design for digitisation of site drawings, report production and editing.
- Specialist Services: Artefact Analysis, Osteoarchaeology, Zooarchaeology, Environmental and Archaeobotanical analysis.

Point 4

To our knowledge employers within the sector are generally represented by their own internal management and in some instances by IBEC.

Point 5

Our response to this section of your correspondence is set out in **Appendix 1**.

(intentionally no point 6)

Point 7
Mr Tom Fitzgerald is a person authorised by Unite the Union to furnish the Labour Court with a statutory declaration.

Point 8
Ms. Janet Murphy is the Senior Regional Administrator for Unite the Union in the Republic of Ireland and provides administrative support to Mr. Fitzgerald in such circumstances.

We hope that the above satisfactorily addresses each of the points raised. We remain happy to provide any additional clarification or documentation required by the Labour Court.

Yours sincerely,



Tom Fitzgerald
Regional Co-ordinating Officer

List of Appendices

Appendix 1	Appendix 1 is referenced as Appendix 1 in the body of this letter and is designed to answer the questions raised by the Labour Court in their correspondence of the 24th of September 2025.
Appendix 2	Appendix 2 is referenced as Appendix 2 in the body of this letter and is designed to answer the Labour Court's queries regarding full details of specific qualifications, skills, and knowledge required for a specific economic activity, as set out in point 2 of their letter of the 24th of September 2025.
Appendix 3	Appendix 3 is a copy of the Labour Court letter dated the 24th of September 2025.
Appendix 4	Appendix 4 is a copy of the Labour Court letter dated the 8th of September 2025, confirming receipt of the application.
Appendix 5	Appendix 5 is the original application submitted by Unite the Union dated the 29th of August 2025, including the cover note, application form, and statutory declaration

Appendix 1

Appendix 1

THE SECTOR

1. Commercial Archaeology (the Sector)

Commercial sector archaeologists in Ireland are generally employed by private archaeological consultancies or work independently and are separate to those archaeologists that work in the public sector. The sector is regulated through the National Monuments Acts 1930–2014, the Historical and Archaeological Heritage and Miscellaneous Provisions (HAHMP) Act 2023, the Planning and Development Acts 2000 and 2024, the Environmental Impact Assessment Amendment Regulations 2020, and various Codes of Practice, policies and guidelines, the most pertinent of which are the *Framework and Principles for the Protection of Archaeological Heritage,*[1] and the *Policy and Guidelines for Archaeological Excavation*.[2] Ireland is also a signatory to several international conventions that provide frameworks for the legal protection and management of archaeological heritage, such as the International Charter for the Conservation and Restoration of Monuments and Sites (the Valletta Convention) and the UNESCO Convention on the Protection of the Underwater Cultural Heritage.[3]

The National Monuments Service (Department of Housing, Local Government and Heritage) and the National Museum of Ireland (Department of Arts, Media, Communications, Culture and Sport) are responsible for the provision of the State's archaeological service, including the regulation of archaeological practices, surveying and maintaining records of Ireland's approximately 147,000 recorded archaeological sites, preserving and promoting Ireland's portable heritage, regulating commercial archaeological practices including the issuing of licences for archaeological excavations and surveys.[4] The EU/EEA *Regulated Professions Database*[5] lists archaeology as a Regulated Profession in eight countries in Europe, including Ireland, where the NMS are listed as the Regulating Authority.[6]

A range of other state agencies, including Local Authorities, the Forestry Service, and any branch of government involved in the planning process, employ archaeologists who

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[1] Dept. of Arts, Heritage, Gaeltacht, and the Islands, Framework and Principles for the Protection of the Archaeological Heritage (Dublin, 1999) (https://www.archaeology.ie/collections-and-publications/publications/framework-and-principles-for-the-protection-of-the-archaeological-heritage/) [accessed 16 December 2025]..

[2] Dept. of Arts, Heritage, Gaeltacht, and the Islands, Policy and Guidelines on Archaeological Excavation (Dublin, 1999) (https://www.archaeology.ie/collections-and-publications/publications/policy-and-guidelines-on-archaeological-excavation/) [accessed 16 December 2025]..

[3] For a summary of the regulatory and policy framework for archaeological heritage in Ireland see Appendix 3 of TII, Guidelines for Cultural Heritage Impact Assessment of TII National Road and Greenway Projects. PE-ARC-02009; September 2025 (PE-ARC-02009, Dublin, 2024) (https://cdn.tii.ie/publications/PE-ARC-02009-02.pdf) [accessed 16 December 2025].

[4] https://www.archaeology.ie/ [accessed 16 December 2025]; https://www.museum.ie/en-IE/Museums/Archaeology [accessed 16December 2025]

[5] A database of regulated professions defined under Directive 2005/36/EC. See https://www.gov.ie/en/department-of-further-and-higher-education-research-innovation-and-science/publications/recognition-of-professional-qualifications/ [accessed 12 December 2025].

[6] https://ec.europa.eu/growth/tools-databases/regprof/professions/generic/profession/8004 [accessed 16 December 2025].

form, interpret and ensure the application of planning conditions to public and private developments. In addition, state agencies such as *Transport Infrastructure Ireland* have agreed a Code of Practice with the Minister responsible for archaeology, and employ their own archaeologists. Other codes of practice also exist with Bord na Móna and Bord Gáis.[7] The Institute of Archaeologists of Ireland (IAI) is the professional body which promotes high standards of professional conduct and practice through its Codes of Professional Conduct, guidelines and technical reports, and represents the interests of archaeologists throughout the island of Ireland on policy that affects them and the archaeological heritage of Ireland.[8]

Within the legal interpretation of the provisions governing public procurement, archaeology is identified as a delay and compensation event for both traditional contracts and design-and-build contracts, where an instruction from the Employer is given to deal with an item of archaeological interest or human remains found on the site.[9] Compensation events arising from archaeology are a significant risk to a construction project. These risks should be managed through appropriate assessments, including desktop studies, archaeological site investigations and archaeological excavations carried out by competent and qualified professional archaeologists. The Institute of Archaeologists of Ireland set out best practice guidelines for archaeologists undertaking fixed price contracts,[10] and for those procuring archaeological services.[11] TII, one of the largest contracting authorities of archaeological services in Ireland has, since 2020, procured archaeological services based on a quality/ price ratio, ensuring that the quality of the archaeological service provider is now a key determining factor in whether archaeological companies win large-scale contracts.[12] Unite archaeology branch represents the professional archaeologists who provide these services.

2. Make-up of the Sector

There are approximately 40 archaeological companies employing archaeologists in Ireland. Of these, around eleven can be classified as medium to large size companies that employ the majority of archaeologists in the sector. An online search undertaken by the union in September 2024 of the websites of commercial archaeological companies in Ireland recorded a total of 180 employees listed as archaeological staff. The four largest companies list between 19 and 59 employees on their websites, while the remaining seven medium to large size companies have between 4 and 9 employees on their websites. Employees listed on websites tend to have more secure, longer-term contracts and do not generally include the temporary staff that are employed on short-

[7] https://www.archaeology.ie/advice-and-support/planning-and-guidance/codes-of-practice/ [accessed 16 December 2025].
[8] https://www.iai.ie/ [accessed 16 December 2025].
[9] Guidance Note 1.5.3: The Pricing Document., Office of Government Procurement (Dublin, 2025), p.15 (https://media.cwmf.gov.ie/media/documents/GN_1.5.3_PWC_Pricing_v1.4_09-01-2025.pdf) [accessed 16 December 2025].
[10] https://www.iai.ie/wp-content/uploads/2016/03/IAI-Best-Practice-Standard-Procedures-in-Fixed-Price-Contracts-20121.pdf
[11] https://www.iai.ie/wp-content/uploads/2016/03/IAI-Advice-procurers-using-fixed-price-contracts-20121.pdf [accessed 16 December 2025].
[12] See this presentation prepared by TII in 2019 describing the benefits of a quality/ price procurement of archaeological services: https://www.tii.ie/media/ss5jt3ka/18-t-smith-and-j-eogan-presentations.pdf [accessed 16 December 2025].

term contracts to meet commercial demands. The larger companies often expand rapidly for large-scale infrastructural projects, such as archaeological services on TII road schemes, taking on significant numbers of temporary staff on short contracts to deal with field projects.

The rest of the sector is comprised of small companies consisting of between 1 and 3 people, often in partnership, or sole traders. The sole traders and many of the smaller companies often either work independently, carry out small scale excavations with small numbers of temporary employees or sometimes work in conjunction with other consultancies.

The sector has undergone dramatic changes in the previous twenty years, ranging from rapid growth driven by the construction boom of the Celtic Tiger to a devastating collapse during the Great Recession,[13] with large numbers of experienced archaeologists leaving the profession. The CHL Consulting report *Profile of the Archaeological Profession and Education Resource in Ireland*, commissioned by the Institute of Archaeologists of Ireland in 2002, estimated that there were 650 professional archaeologists in Ireland.[14] The Discovering the Archaeologists of Europe (DISCO) survey found that by 2007 there were 1635 employed in Irish commercial archaeology.[15] The next iteration of this survey (Disco II), which covered the period 2012-2014, found that this number had plummeted to 168 archaeologists working in the commercial sector in 2012.[16] In 2014, the Working Group for the Review of Pay Rates (WGRPR) report for the Institute of Archaeologists of Ireland survey estimated that there were at least 170 people employed in the sector between 2013-2014, although by no means all of these were employed for the whole of that period.[17]

Recovery from the collapse in the commercial archaeology sector has been slow, both in terms of the numbers of workers employed in the sector and wage recovery. In March 2024, a census was carried out by the applicant union whereby all employers in Ireland were asked to submit the number of people they had working for them on one specific day that year. The survey asked employers a simple question: "How many archaeologists did you employ on the 20th March 2024?". Most of the eighteen employers that responded employed less than 10 archaeologists, with the maximum number of employees for one company being 69 on that day. The total number of archaeological employees amongst the respondents in March 2024 was 205. Unite estimates on the basis of the size of the companies that did not respond to the census,

[13] The Great Recession refers to the period of sharp economic decline in Ireland after 2008, leading to significant falls in the amount of archaeological activity and the number of employed archaeologists. See Section 2.4 this report.
[14] A Profile of the Archaeological Profession and Educational Resources in Ireland: A report to the Heritage Council and the Institute of Archaeologists of Ireland, CHL (2002).
[15] Discovering the archaeologists of Europe: Ireland: A Report to The Institute of Archaeologists of Ireland, by Conor McDermott and by Patrizia La Piscopia (2008), p. 14 (https://researchrepository.ucd.ie/entities/publication/1e49a2a3-9e65-42a1-b1d3-84666a9e7ce3) [accessed 16 December 2025].
[16] *Discovering the Archaeologists of Ireland 2012–2014*, by Kerri Cleary and by Niamh McCullagh (Dublin, 2014), p. 25 (https://www.academia.edu/31444762/Discovering_the_Archaeologists_of_Ireland_2012_2014) [accessed 16 December 2025].
[17] *Final report of the working group for the Review of Pay Rates (WGRPR), August 2014.*, by by Martin Curtin et al. (Dublin, 2014) (https://www.iai.ie/wp-content/uploads/2022/04/WGRPR-Final-Report.pdf) [accessed 16 December 2025].

that the actual real number of archaeologists employed in the sector on that day probably ranged from 250-300 workers maximum. During the union's subsequent discussions with the employers regarding the sustainability of the sector, concerns were raised that the number of archaeologists recorded in the census would be insufficient to staff future large infrastructural projects.

Since the March 2024 census day, several large infrastructural projects have commenced, requiring employers to increase their staffing considerably, with some companies recruiting from abroad. A second census was carried out by the applicant union in March 2025 to capture this increase. Like the last census, the survey asked employers one question - "How many archaeologists did you employ on the 20th March 2025?" A total of 17 employers responded out of which 10 employers employed less than 10 archaeologists, with the maximum number of employees for one company being 115 on that day. The total number of archaeological employees amongst the respondents in March 2025 was 255.

The Nomenclature of Economic Activities (NACE) code is used to identify sectors.[18] Archaeological activities can be classified under Section N (Professional, Scientific and Technical Activities), NACE class 72.20 (Social Sciences and Humanities Research and Development– research and development on humanities and arts: e.g. history and archaeology; literature and languages; philosophy),[19] or Section S (Arts, Sports and Recreation), NACE class 91.22 (Historical site and monument activities – operation and preservation of archaeological sites open to visitors),[20] and class 91.30 (Conservation, restoration and other support activities for cultural heritage – conservation and restoration of historical and archaeological assets of all types of materials, whether the assets are movable or stationary).[21] Neither the CSO' census nor the Labour Force Survey provide statistics specifically relating to commercial archaeology activity or numbers. Instead, they gather statistics at section or sector level; commercial archaeology activity being one of a number of classes of activity within these sections or sectors. See explanation and confirmation of this contention set out in communications between Unite's research department, the Revenue Commissioners, and the Nevin Economic Research Institute (communications attached **(Appendices 1A, 1B, 1C)**. Consequently, Unite are required to utilise a range of other sources of data to illustrate the compensation and size of the sector as out in Table 1 below and can be further elaborated on at any hearing/s into the matter.

[18] European Commission (ed.), NACE Rev. 2.1: Statistical Classification of Economic Activities in the European Union: 2025 edition (2025 edition, Luxembourg, 2025).
[19] European Commission (ed.), *NACE Rev. 2.1: statistical classification of economic activities in the European union: 2025 edition* (2025 edition, Luxembourg, 2025), p. 325.
[20] Ibid., p. 378.
[21] Ibid.

Table 1. Numbers of archaeologists in Ireland 2002 - 2025

Survey	Year	Number of Archaeologists Employed in Ireland
CHL Profile the Profession	2002	Estimated 650
DISCO	2008	1635
DISCO II	2014	168
IAI Working Group for the Review of Pay Rates	2014	170
UNITE Archaeology Branch Census day	2024	205 (from 18 companies that responded to the survey)
Unite analysis of Company Registration Office	2025	218 (12 main companies 02/11/2025)
UNITE Archaeology Branch Census day 2025	2025	255 (from 17 companies that responded to the survey)

Appendix 1 A

Fitzgerald, Thomas

From: Fitzgerald, Thomas
Sent: 07 August 2025 09:38
To: ODowd, Jean
Subject: FW: Archaeologists
Attachments: archaeology sector.docx

Categories: Egress Switch: Unprotected

From: McCord, Rhona <Rhona.McCord@unitetheunion.org>
Sent: 11 February 2025 16:20
To: Fitzgerald, Thomas <Thomas.Fitzgerald@unitetheunion.org>
Cc: ODowd, Jean <Jean.ODowd@unitetheunion.org>
Subject: Archaeologists

Hi Jean and Tom,

The commercial archaeologists are very much under the radar on official search engines like CSO, Revenue, CRO etc. I have reached out to Ciaran Nugent and Chris Smart of the Nevin Institute to see if they have any details we can use and await a response. My trawl through the 40 companies Jean sent on reveals a total of 218 employees declared but on anecdotal evidence it must be higher (see example below).

There is always going to be a problem with fluctuation given the nature of the work and the numerous factors that determine whether excavations happen or go ahead. This is reflected in the part-time nature of employment patterns.

I have attached a breakdown of those with a few definitions of the sector that might be helpful, and some pay rates from other countries. a word doc.

I have submitted an FOI email to revenue.ie to ask for a summary of the numbers paying PRSI in the commercial archaeology sector. We might need to submit in writing and there may be a small fee involved. (If that the case I will go ahead and do it). It might be the best way to get an accurate picture.

I also contact Department of Enterprise, and they weren't helpful they just suggested CRO and CSO.

I looked a bit closer into Archaeological Management Solutions, which Jean said was a big company and unfortunately it is an example of what we are up against when trying to get accurate Data. AMS are registered as a micro company under the name AMS Cultural Heritage Consultancy LTD with no employees incorporated in 2022, director Ed Danaher. Then there is a new company incorporated in May 2024 called Archaeological Management Solutions (AMS) Group as a private company also director Ed Danaher there are no financial returns yet. Then there is another company registered as Ed Danaher and Associates Ltd., which submitted a financial return in March 2024 declaring a profit of €2,368,927 and clearly states that they have no employees. The previous return dated October 2021 refers to employee benefits declaring that the company operates a defined benefit pension scheme but also declares 0 employees.

I will send on more information in due course as I gather more data.

Below are 12 of the companies who registered employees in their official annual returns/financial statement according to the Company Registration Office (CRO). The total is 218 as of 11/02/2025.

Company Name	Reported Employee numbers
Aegis Archaeology	2
Archaeologist Consultancy Service Unit	18
Archaeologist Projects	3
Courtney and Deery	24
Gahan Long	28
Irish Archaeological Consultancy	76
Icon Archaeology	2
Judith Carroll	1
Laurence Dunne	4
Rubicon Heritage Services	48
Shanarc Archaeology	8
Tobar Archaeology	4

Definitions

Educational

University College Cork: Archaeologists work in the State heritage sector, for central government bodies such as the National Monuments Service and the National Museum of Ireland, as well as for local authorities in county museums and planning offices. There is a commercial archaeology sector in Ireland that services the requirements of various development agencies. Archaeologists work in survey and excavation, in environmental impact assessment, in heritage conservation projects and tourism initiatives. A degree in Archaeology is very flexible in regard to employment, whether in the archaeological profession or some applied area such as heritage tourism.

Royal Irish Academy:

Archaeologists investigate, care for and manage material cultural heritage. In **2014 just under 350** archaeologists were working in Ireland. Archaeologists are highly qualified, with eighty-five per cent of the workforce holding a third-level or higher degree. The profession is one of the most gender-equal professions in Europe. Professional archaeologists often specialise in different aspects of the discipline—e.g. particular time periods, artefacts, monuments, landscapes and/or techniques and methodologies. There are many different types of archaeological practice: excavation, surveying, museum curation, artefact conservation, research, education and heritage management. The archaeological profession works closely with a wide range of disciplines in pursuit of a full understanding of the past, including scientists, historians and Information Technology and digital specialists.[1]

[1] https://www.ria.ie/assets/uploads/2024/06/archaeology_1.pdf

Professional

National Monuments Service: The profession of Archaeologist is recognised under Schedule 1 of the Regulations as being a "regulated profession" in Ireland i.e. "the State" and the Minister for Culture, Heritage and the Gaeltacht as being the relevant competent authority in Ireland. The decision to so recognise the profession of Archaeologist in Ireland was based on the definition of "regulated profession" set out in the Directive[2] and was in line with the advice of the European Commission as to its applicability to that profession as it operates in Ireland (the Commission being the EU body charged with ensuring implementation.)[3]

Pay rates comparisons

Average rates not broken down into grades.

UK £30 per hour (€36)

Germany €32

Belgium €32

Italy €23

France €25

Austria €26

Spain €21

Netherland €29[4]

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[2] https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02005L0036-20190415&qid=1565866742825&from=EN

[3] https://www.archaeology.ie/sites/default/files/media/publications/info-note-qualifications-directive-regulations.pdf

[4] Economic Research Institute https://www.erieri.com/

Appendix 1 B

Fitzgerald, Thomas

From: Fitzgerald, Thomas
Sent: 07 August 2025 09:39
To: ODowd, Jean
Subject: FW: Update Commercial Archaeology Sector in Republic of Ireland

Categories: Egress Switch: Unprotected

From: McCord, Rhona <Rhona.McCord@unitetheunion.org>
Sent: 12 February 2025 11:47
To: ODowd, Jean <Jean.ODowd@unitetheunion.org>
Cc: Fitzgerald, Thomas <Thomas.Fitzgerald@unitetheunion.org>
Subject: Update Commercial Archaeology Sector in Republic of Ireland

See response below from Revenue. It is likely that people are under a variety of codes, like heritage tourism, construction etc and there is no method to separate them. I think the best we can do is going to be based on the financial returns of the companies so currently that is the 218 people they have declared as employees. We may yet get something back from NERI.

Rhona

From: Revenue Freedom of Information <FOI@revenue.ie>
Sent: 12 February 2025 11:03
To: McCord, Rhona <Rhona.McCord@unitetheunion.org>; Revenue Freedom of Information <FOI@revenue.ie>
Subject: [EXTERNAL] RE: [External] Commercial Archaeology Sector in Republic of Ireland

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Dear Rhona,

Thank you for your email.

I forwarded your query to the relevant area.

They have come back to us to advise that they unfortunately have no records relating to this. They only have sectorial breakdowns available based on the NACE coding of employers. However, there's no NACE code which relates to archaeology.

Kind regards,

Kevin

FOI Unit

From: McCord, Rhona <Rhona.McCord@unitetheunion.org>
Sent: Tuesday, February 11, 2025 1:51 PM
To: Revenue Freedom of Information <FOI@revenue.ie>
Subject: [External] Commercial Archaeology Sector in Republic of Ireland

HI

I'm wondering if I can have access to a summary of the numbers employed/paying PRSI in the commercial archaeology sector in the Republic of Ireland for research purposes.

Rhona McCord
Researcher
Unite the Union RoI

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Tabhair do d'aire nach bhféadann Oifig na gCoimisinéirí Ioncaim aon dearbhú a thabhairt go bhfuil aon sonraí pearsanta agus íogaire a chuirtear i ngnáth-théacs trí ríomhphost caighdeánach go huile is go hiomlán slán. Meastar go bhfuil glactha ag custaiméirí a roghnaíonn an cainéal seo a úsáid le haon riosca bainteach. I measc na modhanna eile cumarsáide a chuireann na Coimisinéirí Ioncaim ar fáil tá an post caighdeánach agus an rogha ár seirbhís chriptithe M'Fhiosruithe a úsáid. Tá an tseirbhís seo ar fáil taobh istigh de moChúrsaí agus ROS. Féadtar clarú le haghaidh moChúrsaí agus ROS ar shuíomh idirlín na gCoimisinéirí Ioncaim.

Appendix 1 C

Fitzgerald, Thomas

From: Fitzgerald, Thomas
Sent: 07 August 2025 09:39
To: ODowd, Jean
Subject: FW: Archaeology

Categories: Egress Switch: Unprotected

From: McCord, Rhona <Rhona.McCord@unitetheunion.org>
Sent: 19 February 2025 17:10
To: Fitzgerald, Thomas <Thomas.Fitzgerald@unitetheunion.org>
Subject: FW: Archaeology

FYI see below.

From: Ciaran Nugent <ciaran.nugent@nerinstitute.net>
Sent: 19 February 2025 16:38
To: McCord, Rhona <Rhona.McCord@unitetheunion.org>
Subject: [EXTERNAL] RE: Charity Sector

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Hi Rhona,

There's no publicly available data specific to Archaeologists. In the Labour Force Survey data they're grouped with a bunch of other sectors in 'other activities', likely to do with the small size of the sector. Even in the Census detail on Archaeologists alone doesn't show up. The best course of action would be to take data from the main commercial archaeologist companies who have made a financial return to the CRO declaring their employees for the previous 12 months. It'll be an underestimate but should give you an idea as to the minimum number of employees.

Best,
Ciarán Nugent
Economist
NERI

From: McCord, Rhona <Rhona.McCord@unitetheunion.org>
Sent: 06 February 2020 15:26
To: Ciarán Nugent <Ciaran.Nugent@nerinstitute.net>
Subject: Charity Sector

Hi Ciaran,

Rhona at Unite the Union here. I'm wondering if you can point me in the direction of any information or research on wages and conditions in the charity sector. I have a member who is trying to put forward a case for a wage increase but it is very difficult to get any decent statistics and there is a general acceptance that work in this sector is low paid or voluntary. Can you point me in the direction of any research in regard to this? Any help on this will be of benefit.

All the best,

Rhona McCord
Community Coordinator & Research
Unite the Union RoI

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Appendix 2

Appendix 2

QUALIFICATIONS, GRADES, SKILLS, KNOWLEDGE & DISTINCTION BETWEEN LICENSED AND NON-LICENSED ARCHAEOLOGICAL WORKERS

1. Qualifications

Archaeology is generally accepted to be a graduate profession. In 2014, 98% of archaeologists in the commercial sector had primary degrees, while 44% had Masters degrees, 9% held doctorates and a further 7% held post-doctorate positions.[1] A survey undertaken in 2024 by Mantra for the Institute of Archaeologists of Ireland found that 98.5% of the respondents from the IAI membership held primary degrees, while 74% had a Masters degrees or higher.[2]

In 2023, eight third-level institutions in Ireland offered up to 53 different courses in archaeology: Atlantic Technical University (ATU), Dundalk Institute of Technology (DkIT), Queens University Belfast (QUB), Trinity College Dublin (TCD), University College Cork (UCC), University College Dublin (UCD), University of Galway (UoG, formerly NUI Galway), and University of Ulster (UU) (Table 1).[3]

Table 1 Archaeology Courses offered on the island of Ireland[4]

Institution	NFQ Level 6 (Certificate)	NFQ Level 7 (Certificate & Diploma)	NFQ Level 8 (Degree)	NFQ Level 9 (Masters)	NFQ Level 10 (PhD)
ATU	Yes				
DkiT			Yes		
QUB			Yes	Yes	Yes
TCD			Yes	Yes	Yes
UCC			Yes	Yes	Yes
UCD			Yes	Yes	Yes
UoG (formerly NUIG)		Yes	Yes	Yes	Yes
UU				Yes	Yes

The undergraduate degree in archaeology is a taught 3-4 year programme, and the qualifications achieved are between level 7 or level 8 on the National Framework of Qualifications, depending on the degree (BA/BSc). Archaeological courses at

[1] *DISCO II*, p. 17.
[2] *Institute of Archaeologists of Ireland - Survey Thursday, April 4, 2024*, Mantra Strategy and Institute of Archaeologists of Ireland (2024) (https://www.iai.ie/wp-content/uploads/2025/01/IAI_Survey_Data_2024.pdf) (20 Jan. 2025).
[3] Our thanks to Dr Eimear Meegan and the Discovery Programme's Frameworks for Archaeological Research for providing these figures.
[4] Figures taken from the Discovery Programme's Frameworks for Archaeological Research.

Certificate level (NFQ level 6) and Diploma (NFQ level 7) are also offered by third-level institutions. Many of these courses offer training in field and excavation skills as part of the undergraduate degree. Postgraduate master's degrees (MA, MLitt and MSc; NFQ level 9) are generally where archaeologists develop their specialisms, taking between one and two years to complete. Doctoral degrees (PhD; NFQ level 10), which typically take between three and five years to complete and consist of original research, represent the highest level of qualification achievable. As well as additional qualifications in technical skills such as GIS and CAD, or Project Management skills, many commercial archaeologists undertake continuous professional development (CPD) through the Institute of Archaeologists of Ireland.[5] Any archaeologist who seeks to direct the excavation of archaeological sites, must first sit and pass a competency interview with the regulatory and statutory authorities (see below).[6]

An IAI survey of the four major Irish Universities teaching archaeology in 2024 – Queen's University Belfast, University College Cork, University College Dublin, University of Galway – found that graduate numbers in archaeology have declined by 20% between 2016 and 2021, which is concerning for the future sustainability of the sector.[7] The applicant union believes that one of the reasons for this decline is a lack of confidence in archaeology as a viable long-term career, in particular because of relatively low wages of entrant-level archaeologists, compared to other graduates.

2. Grades in the Sector

There are four main grades of archaeologist in common usage in the sector. These are, in order of seniority, Senior Archaeologist, Site Director, Site Supervisor, and Site Assistant. The SEO application primarily applies to the grades of Site Supervisor and Site Assistant. The following grade descriptions are based on specifications for the Foynes to Limerick Road scheme archaeological services, advertised in October 2023: [8]

Senior Archaeologists (project managers) oversee large scale archaeological projects, such as TII-funded road schemes, where they must have a Level 8 qualification (QQI or equivalent), be eligible for an archaeological excavation licence and not have had a license revoked in the past three years, have at least five years of relevant post-graduate management experience in archaeological fieldwork and reporting, having directed at least five excavations and completed all reporting obligations, and have relevant experience managing an archaeological project valued at €300,000 or more in the last three years.

Site Directors lead project teams in the field, directing archaeological excavations. Site Directors must have the requisite qualifications, sufficient supervisorial field

[5] **https://www.iai.ie/cpd/** [Accessed: 10/01/2025]
[6] **https://www.archaeology.ie/sites/default/files/media/publications/Excavation-licence-interview-application-form.doc** [Accessed: 10/01/2025]
[7] Richard Clutterbuck and Ros Ó Maoldúin, 'Archaeology Student Numbers in Ireland: 2011 to 2021' in *Archaeology Ireland*, no. 39 1, issue 151 Spring (2025). pp 39-40.
[8] Archaeological specifications for the Foynes to Limerick Road Scheme, including the Adare Bypass, tender published 18/10/2023; see Part 4 Service Requirement **https://www.etenders.gov.ie/epps/cft/listContractDocuments.do?d-5419-p=3&resourceId=2565315#**, [Accessed 2/12/2024].

experience, as well as being deemed competent by the statutory authorities to hold a licence under the National Monuments Act 1930-2004. TII-funded road schemes require that the site director have a Level 7 qualification recognized by QQI or equivalent, be eligible for an archaeological excavation license, with no revocations in the past three years, and have at least three years of relevant post-graduate experience in archaeological fieldwork and reporting and directed at least three excavations and completed all related reporting obligations.[9] Site Directors are responsible for preparing archaeological methodologies, are bound by the terms of their archaeological licences, are responsible for coordinating and overseeing post-excavation analyses, artifact conservation, and the creation of illustrations for each excavation site and also serve as the principal author of reports on these sites. As such, the site director has a commitment to a project which may take up to a year and, for large-scale excavations, frequently longer to complete.

Site Supervisors oversee day-to-day excavation and recording of part of an excavation site by a team of archaeologists, operating under the direction of the licenced archaeologist (Site Director). Archaeological specifications for TII-funded road schemes require site supervisors to be fully qualified archaeologists with a minimum of two years relevant post-graduate experience of archaeological fieldwork. Site Supervisors are often employed for the post-excavation phase of projects and can be an important part of report production process.

Site Assistants are the most numerous staff on an archaeological project, undertaking excavation and recording of archaeological features and deposits that have been assigned to them by the Site Supervisor or Site Director, as well as being involved in some aspects of post-excavation work. Site Assistants almost universally hold primary degrees and have varying levels of experience on archaeological sites.

All other grades of archaeologists are generally variations of these four basic grades. For example, Underwater Archaeological Director and Supervisors are generally equivalent to Site Director and Site Supervisor, though likely to be paid more because with the additional qualifications and experience required for these roles and the relatively small number of underwater archaeologists in Ireland. Post-excavation managers and Geomatics Managers operate somewhere between a Project Manager and Site Director grades, whilst Site Surveyors are often equivalent to Site Supervisors in grade and pay.

Senior staff of commercial archaeological companies are generally employed on permanent contracts, including general managers, project managers, some excavation directors, and site supervisors. Most junior staff (Site Supervisors and Site Assistants) are employed on fixed-term or specified-purpose contracts for the duration of a particular project. Some site directors are also employed for fixed terms or for specific

[9] Foynes to Limerick Road Scheme Archaeological Specifications, 2023.

projects. Specialists can be self-employed and contracted to provide services for specific projects or permanent employees of commercial archaeological companies.

Different synonyms are sometimes used for some of the grades. For examples, the Site Assistant grade can be referred to as excavation assistant or junior site assistant. In the past, a grade of General Operative was used to describe new entrant archaeologists or unqualified labourers who formed a relatively small proportion of the site staff and were generally only employed for excavations of specific sites. General Operatives are now rarely used on commercial archaeological projects, particularly where quality is a significant determining factor in the tender assessment. Similarly, certain projects have used Trainee Archaeologists in the past, and the grade was included in the IAI's Working Group for the Review of Pay Rates in 2014. However, these were only recommendations, and the archaeological industry as a whole did not implement these rates or grades.

For the purposes of the current SEO application, the term Archaeological Worker is used to refer to anyone undertaking work in the commercial archaeology sector and encompasses all grades and the various terms assigned to them.

3. Skills

The skills required by non-licensed archaeologists vary depending on the archaeological service required. These skills include skills, knowledge, practical application, critical analysis and interpretation for the following services:

- Desk-top assessments: Assisting in, or undertaking, Archaeological Impact Assessments, Underwater Archaeological Impact Assessment, Environmental Impact Assessments, Built Heritage Impact Assessment;
- Surveys: Assisting in, or undertaking, Geophysical Survey, GIS analysis, LiDAR Assessment, Buildings Recording, Geomatics Survey, Drone Survey, Photogrammetry, Underwater Archaeological Survey;
- Excavations (including Archaeological Monitoring of groundworks, Test excavations, Excavation in Area): Identification, manual excavation, and recording (scale drawings, photography, written record) of archaeological deposits, features, and sites. Archaeological workers with suitable experience (e.g. supervisors) often are involved in the supervision of sites both in the absence and presence of the license holder, as well as training and supervision of junior staff;
- Post-Excavation Services: Processing of artefacts and ecofacts, artefact illustration, assessment and analysis of site record, use of computer aided design for digitisation of site drawings, report production and editing;
- Specialist Services: Artefact Analysis, Osteoarchaeology, Zooarchaeology, Environmental and Archaeobotanical analysis.

4. Knowledge

- Archaeological periods, site types, artefact types and key reference excavations and publications and sources;
- The range and application of professional archaeological specialist services required for particular types of archaeological sites;
- Historical periods, sources and key reference publications;
- Legislation: particularly the National Monuments Act 1930 – 2014; Historical and Archaeological Heritage and Miscellaneous Provisions Act 2023 (in the process of being commenced); Planning and Development Act 2000; Planning and Development Act 2024;
- Government and state agency guidelines for Archaeology and Built Heritage Assessment;
- Government Policies for protection, recording and excavation of archaeology, as set out in the Framework and Principles for the Protection of Archaeological Heritage and Policy and Guidelines for Archaeological Excavation;
- Local Government Development Plan policies and objectives;
- Scheduling and managing archaeological services and works, including identifying the key milestones required for particular archaeological services;
- Budget planning and control;
- Contract management;
- Quality control and management;
- Health and Safety legislation, risk assessment and management;
- Computer Aided Design and Geographical Information Systems;
- Global Positioning Systems and Total Stations geodetic surveys;
- Graphic design and digital photographic softwares;
- Cartography;
- Geosphysical survey softwares and interpretation;
- Buildings survey techniques and standards;
- Landscape interpretation.

5. Distinction between licensed and non-licensed archaeological workers

Licensed archaeological workers

The primary distinction between licensed and non-licensed archaeological workers is whether they are considered eligible to hold an excavation licence issued under Section Section 26 of the National Monuments Act. Archaeology is listed in the EU/EEA *Regulated Professions Database* as a regulated profession in eight countries in Europe, including Ireland.[10] The *Regulated Professions Database* states the National

[10] https://ec.europa.eu/growth/tools-databases/regprof/professions/generic/profession/8004 [accessed 15 December 2025]

Monuments Service (NMS) is the Competent Authority to determine if an archaeologist is considered licence-eligible in Ireland.

Procedure for Recognition of Professional Qualifications issued by the NMS sets out the criteria for archaeology as a regulated profession.[11]

The *Regulated Professions Database* states the minimum qualification level for archaeologist in Ireland is PS3 - Diploma of post-secondary level (3-4 years) Art. 11 d.

The *Policy and Guidelines on Archaeological Excavation* (pp10-12) sets out the criteria for qualifying to become licence eligible: [12]

> **2.3 Policy in relation to deciding whether or not to issue a licence to carry out an archaeological excavation**
>
> (a) that the proposed archaeological excavation is justified or necessary
>
> (b) that they [the applicant for the licence] are competent to carry out the archaeological excavation
>
> **Persons who have not previously held an archaeological excavation licence**
>
> Prior to any applications by such persons being considered by the Department of Arts, Heritage, Gaeltacht and the Islands [now the Department of Housing, Local Government and Heritage], their competency will be assessed by means of interview by a panel established by the Department... The criteria for eligibility of persons who have not previously held archaeological excavation licences for interview by this panel will be the holding of an academic qualification with a substantial archaeological content and relevant archaeological excavation experience in a supervisory capacity.
>
> **Persons who last held an archaeological excavation licence ten years or more ago**
>
> Such persons will also be required to have their competency assessed by means of interview by the panel prior to any applications by them being considered by the Department of Arts, Heritage, Gaeltacht and the Islands.
>
> **Other applicants**
>
> The Department of Arts, Heritage, Gaeltacht and the Islands [now the Department of Housing, Local Government and Heritage] will take into account evidence of the competency of other applicants who have previously held archaeological excavation licences when assessing applications made by them. That evidence may include relevant experience and previous standards of work.

Such persons may be required to submit themselves for interview by the panel if there are grounds for believing that their competency should be reviewed in

[11] https://www.archaeology.ie/collections-and-publications/publications/information-note-procedure-for-recognition-of-professional-qualifications/ [accessed 15 December 2025]

[12] https://www.archaeology.ie/app/uploads/2024/12/excavation-policy-and-guidelines-1.pdf [accessed 15 December 2025]

general or in relation to the conduct of a specific proposed archaeological excavation.

Assessment of the competency of interviewees.

The panel will assess the competency of interviewees with regard to the following headings:

(i) knowledge of Irish archaeology (including material culture)

(ii) knowledge and experience of relevant archaeological excavation and survey techniques

(iii) knowledge and recognition of archaeological objects

(iv) knowledge and experience of appropriate responses to problems of storage and conservation of archaeological objects uncovered in the course of excavation

(v) knowledge and experience of post excavation analysis

(vi) knowledge, experience and skills in the preparation of material for publication

(vii) knowledge of relevant legislation

Non-licensed archaeological workers

Non-licensed commercial archaeological workers encompass all individuals working in the commercial archaeology sector who do not hold an archaeological excavation licence as defined in the section above addressing the distinction between licensed and non-licensed archaeological workers. This category therefore includes all archaeological workers who are not deemed eligible to hold, or who do not currently hold, an excavation licence issued under the National Monuments Acts.

Non-licensed archaeological workers can include all grades described in section 2 above. While these workers do not carry the statutory responsibilities associated with holding an excavation licence, they nonetheless possess substantial qualifications, skills, knowledge and experience and undertake essential archaeological functions across all stages of archaeological projects as detailed at sections 1, 3 and 4 above.

For the purposes of this SEO application, non-licensed archaeological workers are therefore understood to constitute the majority of the commercial archaeological workforce.

Appendix 3

The Labour Court
Lansdowne House
Lansdowne Road, Ballsbridge
Dublin 4, D04 A3A8
Tel: (+353) 1 613 6666
or 0818 613 666

THE LABOUR COURT

An Chúirt Oibreachais
Áras Lansdún, Bóthar Lansdún
Droichead na Dothra
Baile Átha Cliath 4, D04 A3A8
Email: info@labourcourt.ie
Website: www.labourcourt.ie

Tom Fitzgerald
Unite House
55/56 Middle Abbey Street
Dublin 1 D01 X002

By Post

24 September 2025

Re: Request to the Labour Court for the examination of the terms and conditions of employment in the commercial archaeology Sector with a view to establishing a Sectoral Employment Order (SEO)

Dear Mr Fitzgerald,

I refer to the application received from Unite the Union dated the 29th of August 2025 in relation to a request to the Labour Court, for the examination of the terms and conditions of employment in the commercial archaeology sector, with a view to establishing a Sectoral Employment Order (SEO) in accordance with Section 14 of the *Industrial Relations (Amendment) Act* 2015 ("the Act").

The Court met in relation to the application on 22nd of September 2025. The Court has requested further information and asked the following questions in relation to the application:

1) Having regard to the definition of "economic sector" in Section 13 of the Act, please provide full details on how the commercial archaeology sector is a sector in accordance with the definition in the Act? Please include full details of the specific economic activity of the sector concerned.

2) Please provide full details of the specific qualifications, skills or knowledge required for the specific economic activity of the sector.?

3) Please provide full details on the class, type or group of workers to which the request relates ie. non-licenced commercial archaeological workers, and provide full detail on this classification of workers, including details of the work performed by these workers?

4) Please provide full details on the declarant's means of knowledge of the representation arrangements of employers in the sector to which this application relates?

5) Please provide full details on the declarant's means of knowledge of the information and matters referred to in paragraph F. of the Statutory Declaration?

7) Please confirm that Mr. Tom Fitzgerald is a person authorised by Unite the Union to furnish the Court with a statutory declaration?

8) Can you clarify the role of Janet Murphy in the application.?

Please find enclosed a copy of the Labour Court (Sectoral Employment Order) Rules 2016, which can also be located on the Labour Court website. You should note that all information and documentation received during this application will, unless specifically requested otherwise, be published on the Court's website.

Once you have responded in relation to the above, the Court will further consider the application.

Yours sincerely

Maura McKenna
Registrar

Industrial Relations (Amendment) Act 2015

Labour Court (Sectoral Employment Orders) Rules 2016

Interpretation

In these Rules: -

"the Act" means the Industrial Relations (Amendment) Act 2015.

"applicant" means a trade union of workers and a trade union or organisation of employers that requests an examination of terms and conditions of employment in accordance with section 14 of the Act;

"Court" means the Labour Court.

"sector" means an economic sector within the meaning of section 13 of the Act.

A word or expression used in these Rules which is also used in the Act has the same meaning in these Rules as it has in the Act unless a contrary intention appears

The Interpretation Act 2005 applies to these Rules

These Rules may be cited as "Labour Court (Sectoral Employment Orders) Rules 2015-2016.

Application to Examine Terms and Conditions of Employment

1. A request to the Court to examine the terms and conditions of employment in a sector pursuant to section 14 of the Act shall be made on an application form provided for that purpose and shall state: -

   (a) The name and address of the applicant;

   (b) The sector to which the request relates;

(c) The class, type or group of workers to which the request relates;

(d) Details of the arrangements (if any) by which terms and conditions relating to remuneration and any sick pay scheme or pension scheme, of the workers in the sector to which the request relates are determined;

(e) Where the applicant is a trade union of workers, the name and address of any other trade union of workers that is representative of workers in the sector to which the request relates;

(f) Where the applicant is a trade union of workers, the name and address of any trade union of employers or organisation of employers that is representative of employers in the sector to which the request relates;

(g) Where the applicant is a trade union of employers or an organisation of employers, the name and address of any trade union of workers that is representative of workers in the sector to which the request relates;

2. Where a request is made to the Court jointly by more than one applicant each applicant shall complete a separate form.

3. Every applicant that is a trade union of workers shall furnish the Court with a Statutory Declaration within the meaning of the Statutory Declarations Act 1938, made by a person authorised in that behalf by the trade union, containing the following particulars: -

(a) The name of the applicant trade union

(b) The position held by the declarant;

(c) The registered address of the applicant trade union within the State

(d) The number of workers of the class type or group to which the agreement relates who are members of the trade union of workers on whose behalf the request is made

(e) The number of workers of the class type or group to which the request relates who are normally employed in the sector to which the request relates

(f) The declarant's means of knowledge of the matters referred to at paragraphs (d) and (e)

4. Every applicant that is a trade union of employers or an organisation of

employers shall furnish the Court with a Statutory Declaration within the meaning of the Statutory Declarations Act 1938, made by a person authorised in that behalf by the trade union, or the organisation, containing the following particulars:-

(a) The name of the applicant

(b) The position held by the declarant;

(c) The registered address of the applicant within the State;

(d) The number of workers of the class type or group to which the request relates who are normally employed by the employers who are members of the trade union of employers or the organisation of employers on whose behalf the Declaration is made;

(e) The number of workers of the class type or group to which the request relates who are normally employed in the sector to which the request relates;

(f) The declarant's means of knowledge of the matters referred to at paragraphs (d) and (e).

Provision of Further Information and Evidence

5. Before proceeding to consider the request the Court may require an applicant, or any other person, to furnish:-

(a) Such additional information as it may require;

(b) Such further evidence as it may require in support of the statements contained in the application form or in the Statutory Declaration provided in support of the request;

Publication of Notice

6. For the purpose of compliance with section 15(2) of the Act the Court shall, as soon as may be after it receives a request to conduct an examination under that section, publish a notice in at least one newspaper in general circulation within the State, of its intention to conduct an examination and inviting representations under Section 15 (3) of the Act from all interested parties

Making Representations

7. Representations made in accordance with section 15(3) of the Act shall be made in writing within 28 days of the publication of the notice referred to at Rule 6.

Information

8. All documentation received by the Court under Rules 1 to 5 and 7 shall, unless specifically requested otherwise, be published by the Court on its website..

9. All parties furnishing documents to the Court must ensure that they not include any sensitive personal data within the meaning of the Data Protection Acts 1988 and 2003

Labour Court (Sectoral Employment Orders) Rules 2015 are hereby revoked.

Appendix 4

The Labour Court
Lansdowne House
Lansdowne Road, Ballsbridge
Dublin 4, D04 A3A8
Tel: (+353) 1 613 6666
or 0818 613 666

THE LABOUR COURT

An Chúirt Oibreachais
Áras Lansdún, Bóthar Lansdún
Droichead na Dothra
Baile Átha Cliath 4, D04 A3A8
Email: info@labourcourt.ie
Website: www.labourcourt.ie

Mr Tom Fitzgerald

Regional Coordinating Officer

Unite the Union

Unite House

55/56 Middle Abbey Street

Dublin 1 D01 X002

8th September 2025

Dear Mr Fitzgerald,

I acknowledge receipt of your request to the Labour Court for an examination of the terms and conditions of employment in the Commercial Archaeology Sector with a view to establishing a Sectoral Employment Order (SEO) as provided for in the Industrial Relation (Amendment) Act 2015.

The Labour Court will be in contact with you in relation to this in due course.

Yours sincerely,

Ceola Cronin,

Court Secretary.

Appendix 5

Unite House
55/56 Middle Abbey Street
Dublin 1 D01 X002
Republic of Ireland
Tel: 00 353 (0)1 873 4577

Ireland Region

Labour Court Secretariat
The Labour Court
Lansdowne House
Lansdowne Road
Ballsbridge
Dublin 4

29th August 2025

Re: Request to the Labour Court for the examination of the terms and conditions of employment in the Commercial Archaeology Sector with a view to establishing a Sectoral Employment Order (SEO) as provided for in the Industrial Relations (Amendment) Act 2015

To Whom It May Concern,

In accordance with Section 14 of the Industrial Relations (Amendment) Act 2015, I wish to submit an application on behalf of Unite the Union for the examination of the terms and conditions of employment in the Commercial Archaeological Sector, with a view to establishing a Sectoral Employment Order (SEO).

We believe that we meet the key threshold requirements provided for under Section 15 of the Act concerning the above request, as follows:

Section 15 (1)(a)(ii): We believe are substantially representative of the workers who would be covered by the SEO.

Section 15 (1) (B): We believe the request should apply to all workers of the type set out in the application form, specifically Non-licenced Archaeological Workers.

Section 15(1)(C): Currently, pay conditions are established at an individual enterprise level, which we believe does not provide the necessary clarity for workers regarding rates of pay. This approach can also lead to inconsistencies and a lack of cohesion among employers in terms of the correct pay rates to provide.

Susan Fitzgerald
Regional Secretary

Sharon Graham
General Secretary

www.unitetheunion.org/ireland

Section 15(1) D): It is Unite's view, and that of our members, that clarity on rates of pay in the sector needs to be achieved. Our preferred option to achieve this is on a sector-wide basis rather than at enterprise-level. We believe pursuing this at enterprise level could give rise to industrial relations unrest, where pay established at sectoral level, with legal application, would do the opposite.

Please find enclosed:

1. Labour Court SEO application
2. Statutory Declaration .

Thank you in advance for your assistance with this.

Yours sincerely,

Tom Fitzgerald
Regional Coordinating Officer
Unite the union

Susan Fitzgerald
Regional Secretary

Sharon Graham
General Secretary

www.unitetheunion.org/ireland

THE LABOUR COURT

INDUSTRIAL RELATIONS (AMENDMENT) ACT 2015

APPLICATION FOR A REQUEST to EXAMINE THE TERMS AND CONDITIONS OF EMPLOYMENT IN A SECTOR

Name of applicant:	Unite the Union
Address:	55/56 Middle Abbey Street, Dublin 1, D01X002
Contact Number:	018734577
Email Address:	Janet.murphy@unitetheunion.org
Sector:	Commercial Archaeology Sector

Class, type or group of workers to which the request relates:

Non-licenced Commercial Archaeological Workers (i.e. archaeological workers who are not licence-eligible)

Please enter details of the arrangements (if any) by which terms and conditions relating to remuneration and any sick pay scheme or pension scheme, of the workers in the sector to which the request relates are determined:

Pay and conditions are established at individual enterprise level

Where the applicant is a trade union of workers, please enter the name and address of any other trade union of workers that is representative of workers in the sector to which the request relates:

Not applicable

Where the applicant is a trade union of workers, please enter the name and address of any trade union of employers or organisation of employers that is representative of employers in the sector to which the request relates:

IBEC
84/86 Lower Baggot Street
Dublin 2
D02 H720

Signature of Applicant: Janet Murphy

Date: 29/8/2025

IN THE MATTER OF AN APPLICATION PURSUANT TO SECTION 14 OF INDUSTRIAL RELATIONS (AMENDMENT) ACT 2015 CONCERNING AN APPLICATION BY UNITE THE UNION FOR A SECTORAL EMPLOYMENT ORDER IN THE COMMERCIAL ARCHAEOLOGY SECTOR

STATUTORY DECLARATION

IN THE MATTER OF AN APPLICATION PURSUANT TO SECTION 14 OF INDUSTRIAL RELATIONS (AMENDMENT) ACT 2015 CONCERNING AN APPLICATION BY UNITE THE UNION FOR A SECTORAL EMPLOYMENT ORDER IN THE COMMERCIAL ARCHAEOLOGY SECTOR

STATUTORY DECLARATION

I, **Tom Fitzgerald**, do solemnly and sincerely declare that:

A. The name of the applicant trade union is Unite the Union.

B. I am a Regional Coordinating Officer of Unite the Union.

C. The registered address of Unite the Union is 55-56 Middle Abbey Street, Dublin 1.

D. There are 170 workers who are members of Unite the Union to which this agreement relates, and the request is made on their behalf.

E. There are circa 225 / 270 Non-licenced Commercial Archaeological Workers (i.e. archaeological workers who are not licence-eligible) who are normally employed in the commercial archaeology sector, to which this request relates.

F. The declarant's means of knowledge of the matters referred to at paragraphs (d) and (e) come from census's conducted amongst Unite members and employers in the sector and consultation with a range of sources including the Central Statistics Office, the Nevin Institute (further and more detailed submissions available).

I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1938.

Signed

Declared before me..... [name in capitals] a [~~notary~~ public] [commissioner for oaths] [peace commissioner] [person authorised by Section 72 of the Solicitors (Amendment) Act 1994 to take and receive statutory declarations] by Tom Fitzgerald

[who is personally known to me],

or

[who is identified to me by Andrew Turner who is personally known to me]

or

[whose identity has been established to me before the taking of this Declaration by the production to me of

passport no. issued on by the authorities of , which is an authority recognised by the Irish Government]

or

national identity card no. issued on by the authorities of [which is an EU Member State, the Swiss Confederation or a Contracting Party to the EEA Agreement]

or

[Aliens Passport no. (document equivalent to a passport) issued on by the authorities of which is an authority recognised by the Irish Government]

or

refugee travel document no. issued on

by the Minister for Justice, Equality and Law Reform]

or

travel document (other than refugee travel document) issued on

by the Minister for Justice, Equality and Law Reform

at 13/16 Lane Street, Dublin 2

this 28th day of August 2025

Patrick Donaghy

Acting Sol. for

[signature of witness]".

PATRICK DONAGHY B.COMM., DIP. L.S.
PATRICK DONAGHY & COMPANY.
SOLICITORS