

IMPORTANT INFORMATION FOR ELECTRICAL CONTRACTORS

Registered Employment Agreement

What is a Registered Employment Agreement and how does it affect me?

A Registered Employment Agreement (REA) is an agreement made between a representative group of employees and a representative group of employers (*these types of agreements are allowed for under Laws made in 1946*). The REA for the Electrical Contracting Industry sets the terms and conditions of employment for all Electrical Contractors within the Industry. Once registered the agreement applies for all contractors operating in the Industry. The agreement sets the minimum hourly rate for electricians employed; the amount of pension contributions employers must pay; payments for travelling to site etc.

The current REA was made between, what is now the *Technical Engineering and Electrical Union (TEEU)* and the *Electrical Contractors Association (ECA)* (*which at the time represented in or around 43 employers*) and the *Association of Electrical Contractors Ireland (AECI)* (*Which at the time represented in or around 300 employers*). This agreement was made in 1990 and has been changed 14 times since then. All changes to date have been upward pay increases. The most recent change took place in 2007.

While the current REA for the Electrical Contracting Industry may have suited large scale Electrical Contractors it has had a devastating affect on small and medium size operators within the sector. The TEEU with the help of a private company called EPACE (*which receives financial support from the Construction Workers Pension Scheme and who's directors are TEEU and ECA officials*) has consistently brought actions against Electrical Contractors for alleged breaches of the REA for the Electrical Contracting Industry. In many instances Electrical Contractors were not even aware of the existence of the REA. These contractors found that they had huge liabilities, after being brought before the Labour Court by the TEEU for alleged breaches of the REA.

The Current Position Regarding Registered Employment Agreements.

There a number of challenges before the Courts regarding the constitutionality of Registered Employment Agreements. At present a case is coming before the Supreme Court on the 18th December 2012; and if successful, it will mean that the current REA for the Industry will collapse. This would allow employers and employees to agree terms and conditions of employment between themselves and prevent the TEEU from taking actions against Electrical Contractors for breach of the current REA.

New Laws were passed this year which attempt to amend any unconstitutional aspect of the laws made in 1946. These laws allow for a new REA to be made for the entire Electrical Contracting Industry, however, any new REA now needs to be agreed between a groups "*substantially Representative*" of employees and employers within the industry.

The TEEU AND ECA are Attempting to Register a New REA

The TEEU and the ECA, are at present attempting to register a new REA for the Electrical Contracting Industry. The ECA must believe that it employs a sufficient number of the electricians currently working within Ireland to meet the requirement of being "*substantially representative*" of employers within the Industry, despite only having in or around 35 members. If the TEEU and the ECA are successful in registering a new agreement they will have set the terms and conditions of employment within the sector for everyone. If the Labour Court is satisfied with the TEEU's and ECA's application to register a new REA, it must publish the terms of the agreement and allow fourteen days for complaints to be received, before continuing with the registration process.

What can I do?

If you feel that you should be afforded the respect of having a say on how your business is run now and in the future or if you believe that a group of around 35 employers should not be allowed to dictate the terms and conditions of employment for 4000 Electrical Contractors. Then, we would ask that you complete the attached objection form. When the proposed new agreement is advertised we will send a mass text message to the Industry informing contractors to post their objections to the Labour Court at the address stated on the objection form. You can also post the objection at any time to *Boland & Company Solicitors, Patricks Court, Patrick Street, Kilkenny* who will send it to the Labour Court at the relevant time. These Objections state that no details of the Electrical Contractors in question are to be provided to the TEEU, ECA or EPACE.

YOU CAN CONTROL YOUR FUTURE, LODGE YOUR OBJECTION

The Chairman
The Labour Court
Tom Johnson House
Haddington Road
Dublin

Objection to Proposed Registered Employment Agreement

I _____
OF _____

Am a Registered Electrical Contractor

RECI / ECSSA Registration Number _____

It has been brought to my attention that the *Electrical Contractors Association* (ECA) and the *Techicinal Engineering & Electrical Union* (TEEU) are attempting to register a new Employment Agreement for the Electrical Contracting Industry. I confirm that I have not been afforded the opportunity to have any input into this proposed agreement.

I understand that if the ECA and the TEEU are successful in registering their agreement it will set the terms and conditions of employment within the Electrical Contracting Industry and it will therefore affect my right to earn a livelihood.

I believe that ECA are not substantially representative of employers within the Industry and I strongly object to a group of in or around 35 large Electrical Contractors setting the terms and conditions of employment within my Industry.

I specifically request that the Labour Court do not pass any details of this objection to the ECA, the TEEU or EPACE.

Signed _____

Dated _____