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The transformation of pay determination in Ireland

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Abstract

The collapse of social partnership in 2009 and several ensuing years of concession bargaining forced Irish unions to innovate in order to restore pay growth and improve conditions. Drawing on a unique dataset of over 1,600 pay agreements, alongside interviews and case studies, this paper provides the first comprehensive analysis of Ireland's decentralised and primarily firm-level pay-bargaining system since the global financial crisis. Contrary to international portrayals of pay determination in Ireland as uncoordinated and fragmented, the paper reveals how unions have maintained effective pay coordination mechanisms. The analysis traces the shift from company-level 'pattern bargaining' to a 'flexible coordination' model, shaped by evolving economic and institutional conditions. Findings show that unions have delivered sustained real pay growth, contained pay dispersion, and secured significant improvements in working conditions, while preserving industrial peace. The paper also examines emerging efforts to institutionalise social dialogue and assesses the likely impact of these efforts on the future trajectory of collective bargaining in Ireland. Overall, the study highlights the adaptability and resilience of Irish unions in navigating a liberal market economy, while safeguarding workers' pay and conditions.

Keywords: decentralised collective bargaining, flexible coordination, pattern bargaining, union-led bargaining coordination, wage coordination

Introduction

With the advent of the global financial crisis (GFC), collective bargaining became more decentralised in many European countries (Marginson, 2015; Tros, 2023). Ireland was one such country, which witnessed a radical decentralisation of collective bargaining in the private sector from the national or economy-wide level to the company (or firm) level post-2008, involving a dramatic transformation in pay determination. A number of studies have examined aspects of decentralised collective bargaining in Ireland (Paolucci & Roche, 2024a, 2024b), or focused on certain phases of decentralisation (Hickland & Dundon, 2016a, 2016b; Roche & Gormley, 2017, 2018). However, no study has sought to present a detailed examination of the dynamics and outcomes of decentralised pay bargaining over the entire period from the collapse of centralised bargaining in 2009 to today. Such an examination should be of value to the parties to collective bargaining, policymakers, commentators and students, and providing it is the purpose of this paper. The analysis locates changes in pay bargaining within broader institutional features and developments in Irish industrial relations, set against a backdrop of economic and political pressures and trends. The paper begins by outlining the principal themes and debates in the international literature with respect to bargaining levels, coordination, influences and outcomes following the GFC. Next it identifies a set of research questions that focus the analysis presented. The dataset and sources used to analyse developments in collective bargaining are then described. The paper subsequently considers three major themes. Firstly, it addresses how the coordination of decentralised collective bargaining can be portrayed and explained. It next examines collective bargaining outcomes, encompassing pay, pay dispersion, conditions of employment, and associated changes in work practices and in union organisation in workplaces. Finally, the paper considers whether recent moves by unions, employers and government to intensify and widen the scope of 'social dialogue' might affect the conduct of collective bargaining. The paper concludes by summarising the analysis and offering a series of conclusions.

Collective pay bargaining after the Global Financial Crisis

There is broad consensus that the Great Recession significantly accelerated the decentralisation of collective bargaining across European countries (Marginson, 2015; Eurofound, 2014; Garnero, 2021). Decentralisation involves shifting wage negotiations and decisions concerning working conditions closer to individual enterprises (Visser, 2016). This shift stemmed from institutional changes impacting most collective bargaining systems since 2009. Primarily, these include the dissolution of national or sectoral bargaining structures, as observed in Bulgaria, Czechia, Greece, Ireland, Romania and Slovakia. In decentralised systems, a smaller proportion of the workforce is covered by collective agreements, potentially widening wage inequality (Eurofound, 2022).

Secondly, decentralisation involved restructuring links between different bargaining levels – national, sectoral and company – within multi-employer bargaining systems. Since 2009, various reforms have broadened the opportunities for company-level bargaining. For instance, Germany, particularly in the chemical and metalworking sectors, and Austria – where a 2011 agreement allowed companies under financial stress to divide the agreed wage increase into a contingent component – have introduced temporary 'opening clauses' which allow companies to deviate from sectoral pay norms. Italy and other countries, such as Spain and the Netherlands have adopted 'opt-out clauses', which permit companies under certain conditions to deviate from higher-level agreements, although they are seldom utilised by companies and unions (Paolucci & Galetto, 2020; Molina & Miguélez, 2013; Tros, 2023). Additionally, in France, Spain, and the Netherlands, workplace representative structures, works councils, have the authority to sign wage agreements alongside trade unions. All together, these institutional developments have posed challenges to the coordination of wage-setting through collective bargaining by unions and employers. Coordination within collective bargaining may involve links between bargaining levels – so-called 'vertical coordination'. It can also involve links between bargaining units at the same level – 'horizontal coordination'.

Bargaining coordination in decentralised systems

As Marginson and Traxler highlight, the prospects for cross-sectoral, company-level coordination in countries with single-employer bargaining systems seem *bleak* because there is no formal mechanism obliging unions and employers within companies to adhere to pay norms (Marginson & Traxler, 2005, p. 434). Eurofound (2014) suggests that systems with more decentralised bargaining structures and reduced bargaining coverage are more prone to exposing employees to wage fluctuations. A landmark study by the Organisation for Economic Co-operation and Development (OECD) in 2019 on the role of collective bargaining on wage inequality, employment and unemployment found that fully decentralised systems without bargaining coordination involved lower levels of employment, higher levels of unemployment and higher pay dispersion than coordinated systems (OECD, 2019).

The international literature after the GFC universally identifies Ireland as a national case where effective wage coordination no longer occurs. In a 2016 study, surveying developments across thirty-eight OECD and European Union (EU) countries, Visser (2016) notes that an initial procedural 'protocol' between the Irish Business and Employers' Confederation (IBEC) and Irish Congress of Trade Unions (ICTU) was not perceived as sufficient to foster any significant level of wage coordination. Eurofound (2014), which examined pay developments in the EU after the 2009 crisis, mapped countries based on the 'level of bargaining' and the 'degree of institutional coordination of wages'. It classified Ireland as a case of 'decentralization with low coordination'. The OECD (2019) and Garnero (2021) classified Ireland as 'fully decentralized' and concluded that Ireland, alongside the United Kingdom and New Zealand, underperforms in terms of wage equality, employment and unemployment compared to other clusters of countries with varying levels of coordination. Garnero (2021) claims that fully decentralised pay systems suppress actors' motivations or capacities to be firm and labour-market responsive, and to 'internalize the macroeconomic effects of collective agreements' and impair flexibility of earnings over the business cycle. These views of the Irish case and of other cases involving bargaining decentralisation have been strongly challenged (International Labour Organization, 2023; Roche & Gormley, 2018; Paolucci & Roche, 2024a).

Based on the major themes and debates in the literature, the following three research questions will ground the authors' analysis of developments in Ireland:

1. How can the level and type of coordination of pay determination be portrayed and explained in a decentralised system such as that which exists in Ireland?
2. How has decentralised collective bargaining affected pay and conditions of employment and other bargaining outcomes in Ireland?
3. How might recent moves to intensify and widen the scope of 'social dialogue' affect the conduct of collective bargaining?

Research methods and data

The paper draws in the main on a unique dataset compiled by the authors, comprising 1,574 pay deals negotiated in the main at company level between 2011 and 2023.[1] The dataset draws from *Industrial Relations News* (*IRN*) reviews of collective pay agreements in the private and state-owned commercial sectors in Ireland. Data compiled by *IRN* was supplemented by independent inquiries by the authors. The database provides details of the companies and unions that negotiated collective agreements; the years (and sometimes months) in which agreements were concluded; the percentage pay rises agreed and the durations of agreements; retrospection; phasing arrangements; improvements in conditions of employment; any conditions or productivity improvements pertaining to pay rises; and referral of disputes to the state conflict resolution agencies. The authors added further variables to the dataset, including details of sectors, annual or quarterly gross domestic product growth, inflation and unemployment rates. The dataset is the sole source of data available covering the details of actual pay agreements between unions and employers and encompasses a wide range of private-sector industries, unions and company sizes. In these ways, the data can be regarded as reasonably representative of patterns and developments in pay across the private sector, and are so regarded by commentators, the industrial relations media and by researchers. To supplement the statistical analysis of pay deals, we also introduce in places a range of quantitative data sources from sources cited. Secondly, we draw on reports on collective bargaining and union activities in weekly news reports published in *IRN* and relevant news reports in national newspapers. A range of union and the employers' organisation documents and reports are also included. Thirdly, we draw on two rounds of interviews with union officials involved in negotiating pay at intervals since the GFC. The first comprises interviews with six senior union officials of unions representing over 80 per cent of all union members (Services Industrial Professional and Technical Union (SIPTU), Unite, Mandate, Financial Services Union (FSU)) covering developments from 2011 to 2016. The second comprises interviews conducted in conjunction with four detailed case studies of company-level bargaining in four key sectors. In all, eight interviews were

[1] A very small number of pay deals were negotiated at sector level, primarily in low-pay industries and in construction and allied sectors.

undertaken, involving national and local officials of SIPTU, FSU and Mandate and an ICTU official of the Private Sector Committee (PSC), responsible for agreeing bargaining strategy across the private sector. The interviews covered the period between 2011 and 2022. The company case studies covered collective bargaining in four major firms, both Irish-owned and foreign-owned, in core sectors of the Irish economy: pharmaceuticals (PharmCo), financial services (FinCo), retailing (RetailCo) and food (FoodCo).[2] Finally, to validate our results and obtain feedback, we discussed our findings with a panel of five senior union officials, some of whom had been interviewed in the second round.

Pay determination after the global financial crisis

The orderly decentralisation of pay bargaining

The GFC, which struck Ireland in 2008, was the death knell of the long period of 'social partnership', involving centralised tripartite pay bargaining, that spanned the period since 1987. While unions sought to maintain social partnership and adapt centralised bargaining to the crisis through a 'social solidarity pact', employers collectively withdrew from social partnership and associated centralised pay agreements in early 2009.[3] Following the collapse of the social partnership, ICTU and IBEC concluded a 'protocol' to guide collective bargaining in private and commercial state-owned firms – prioritising job retention, competitiveness, and orderly dispute resolution.

The ICTU–IBEC protocol framed the orderly decentralisation of collective bargaining to company level across most of the private sector and commercial state-owned firms (Roche & Gormley, 2017, 2018).[4] As shown in Figure 1 in the severely depressed economy and labour market that prevailed during the GFC, 'concession bargaining'

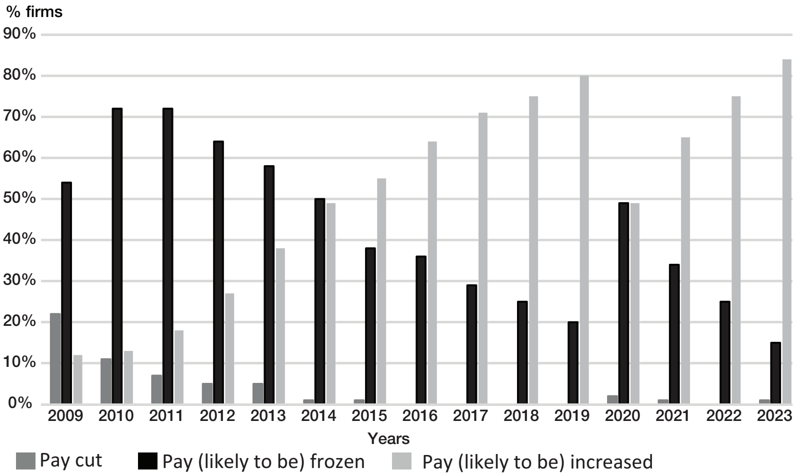
[2] A full profile of the companies and unions involved in the case studies is available from the authors.

[3] Pay cuts were imposed on the public service. These were followed by a series of sector-level pay agreements that imposed further cuts on higher earners and involved changes in work organization. As a quid-pro-quo, unions obtained guarantees of no compulsory job losses. Later agreements provided for pay restoration and increases.

[4] Sectoral collective bargaining structures prevailed in several low-paid, low-union-density industries and in construction and allied sectors, until challenged by groups of employers mounting successful constitutional cases in 2011 and 2013. These led to the suspension of sectoral bargaining for several years, resulting in reforms which partially restored sectoral pay-bargaining arrangements.

between unions and employers, involving pay freezes and pay cuts, was widespread for several years. Employers responded to the crisis by implementing swingeing retrenchment programmes that demanded union concessions involving freezing and cutting pay, and a wide range of associated changes to working hours and work organisation (Teague & Roche, 2014).

Figure 1: Developments in company-level pay determination

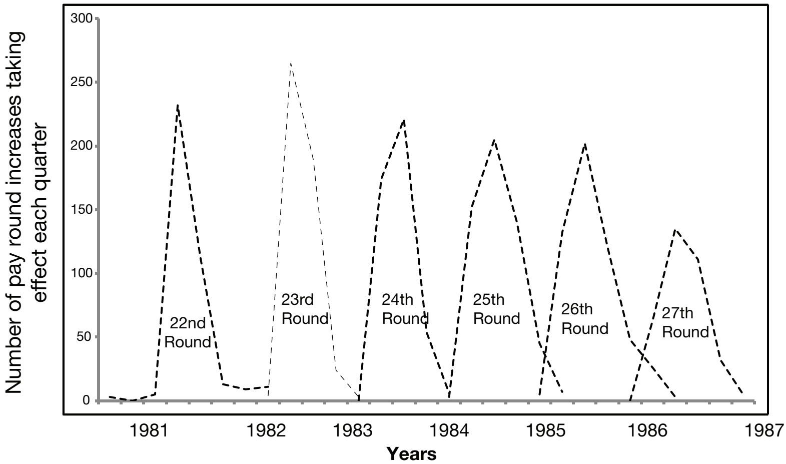


Source: Annual HR Surveys of member firms by the Irish Business and Employers' Confederation.

The disappearance of 'pay rounds'

As the economy bottomed out and began to recover from 2011, unions, led by Ireland's largest and most sectorally diverse union, SIPTU, commenced a pay campaign aimed at kick-starting bargaining for pay rises and improved conditions. It soon became clear that the mode of bargaining emerging was different from all previous Irish pay-bargaining regimes. During earlier periods of decentralised bargaining, the most recent of which had occurred between 1981 and 1987, decentralised pay bargaining had involved well-defined 'pay rounds'. Figure 2 shows the round system during the 1980s and reveals the clustering of pay agreements in well-defined periods of intensive bargaining. Rounds were part of the social psychology of pay bargaining, as evidenced by the assignment of numbers to pay movements. When a round was deemed to be underway, bargaining groups across the economy expected to receive round-specific pay rises: a twenty-second or twenty-third round increase, etc.[5]

Figure 2: Pay rounds during the 1980s



Source: Data complied from recurring reports and reviews of pay agreements over the period covered by *Industrial Relations News*.

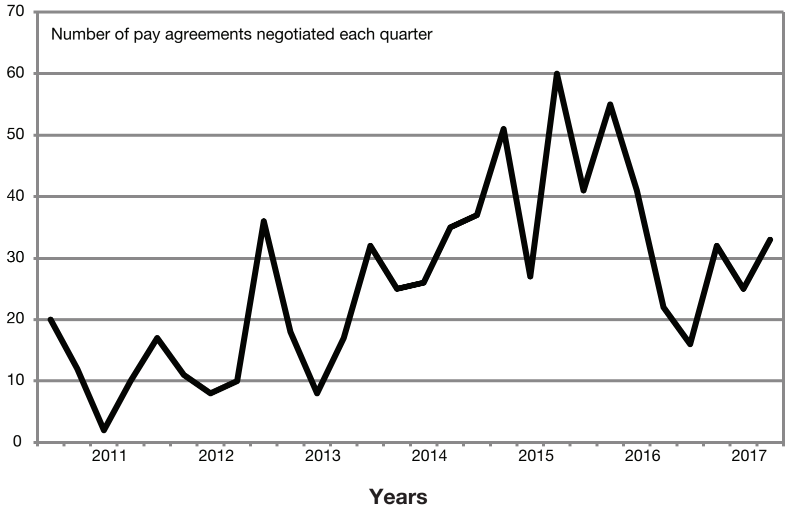
When concession bargaining gave way to more 'normal' pay bargaining from 2011, the round system was replaced by a more irregular or spasmodic pattern of pay settlements. Figure 3 shows that the timing of pay deals is no longer clustered in intensive periods of bargaining activity.[6] The nomenclature associated with pay determination during previous periods of decentralised bargaining (and some periods of centralised bargaining) has all but disappeared.

Why has the historically instituted pay round system become defunct? The original institutional roots of the round system can be traced to unions and employers' adaptation to post-war economic conditions. Wartime controls on pay were removed in 1946, by which time union members had suffered an acute decline in living standards arising from escalating inflation during the Second World War and tight controls over pay rises (Roche, 1997). The simultaneous ending

[5] The numbering sequence began with the first round in 1946. During the seven 'social partnership programmes' covering the period 1987–2008, the numbering and terminology associated with pay rounds disappeared.

[6] From 2017, data allowing pay deals to be assigned to the quarters in which they were negotiated became more sparse, but the pattern had been established and has remained as shown.

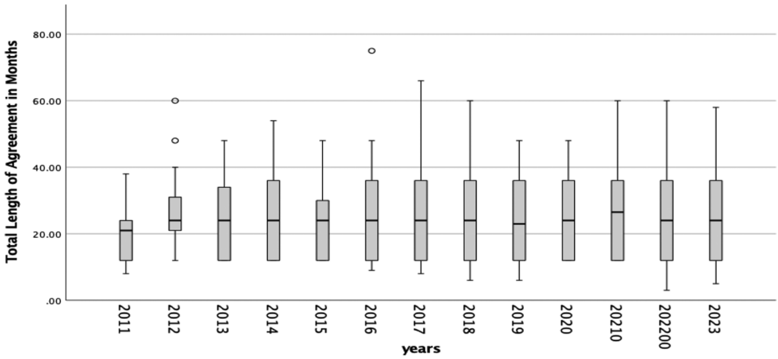
Figure 3: Timing of pay bargaining



of constraints on bargaining in all sectors and occupations combined with strong expectations of real pay restoration and improvements lead unions to press for, and gain, pay increases within a short interval – the 'first pay round' – in open-ended agreements without defined termination dates. Subsequent rounds followed as 'key wage bargains', often in construction and allied sectors, triggered the same pattern of pay settlements (McCarthy et al., 1975). During the 1970s, pay bargaining was centralised. When the system of national pay agreements collapsed in 1981 under the weight of the parties' cumulative disillusionment with the outcomes, unions again lodged pay claims within a confined interval, triggering the twenty-second pay round and subsequent rounds up to the advent of social partnership in 1987.

The institutional conditions that had triggered successive decentralised pay round cycles no longer prevailed in 2009 when social partnership collapsed. Firstly, when normal collective bargaining resumed, spearheaded by recession-resistant pharmaceutical and medical device firms, unions and firms in other sectors lodged claims and concluded agreements in a staggered pattern as these sectors recovered sufficiently to concede pay rises. Secondly, pay agreements of widely varying duration were negotiated by employers and unions. These allowed the parties to tailor deals to the differing commercial circumstances of firms and sectors. The result, as shown in Figure 4, was a pattern in which the duration of most pay increases varied significantly within a range from between one to three or more years.

Figure 4: Boxplot of total length of agreements



Pharmaceutical firms and their unions have negotiated the longest pay deals. This reflects the relative predictability of demand conditions for products in a sector least sensitive to changes in wider economic and commercial conditions. Deals in finance, retailing and distribution firms run from between four to more than five months less than those in manufacturing. Pay agreements of varying duration meant that deals were no longer open for renegotiation within a confined period – undermining the kind of bargaining synchronisation central to the pay round system.

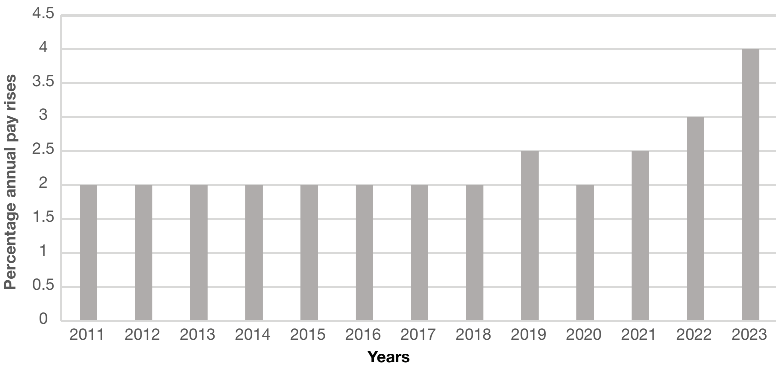
The advent of pattern bargaining

Pay bargaining following the resumption of bargaining over pay increases was initially dominated by company-level 'pattern bargaining' – a novel development in Irish industrial relations. Pay rounds during previous periods of decentralised bargaining had been triggered either by 'key wage bargains' in unstable multi-union bargaining units in sheltered construction or crafts-based bargaining units (1940s to the 1960s), or by 'headline deals' in export-focused multinational firms (1980s). Little bargaining coordination was evident, or even possible, given union multiplicity, multi-union bargaining coalitions in sectors and firms and frequent inter-union competition (Paolucci & Roche, 2024a).

Circumstances were different in 2011. Significant levels of inter-union and intra-union coordination had occurred. This initially involved a form of coordinated company-level 'pattern bargaining' which originated in the strategic targeting of highly unionised firms in these industries by the manufacturing division of SIPTU. The objective from the start was to negotiate deals that would be affordable for employers in general. Pattern-setting deals provided for average annual pay increases of 2 per cent – exceeding prevailing low inflation rates and delivering progressive incremental increases in real pay for members (Roche & Gormley, 2018; *IRN*, 2011; Paolucci & Roche, 2024a).

As recovery gathered pace, pay-bargaining spread progressively beyond export-oriented sectors into engineering, retail multiples, construction supply, extractive industries, some banking groups and commercial state-owned firms (Roche & Gormley, 2018). As the incidence of pay deals increased across these and other sectors, the 2 per cent pattern-bargaining norm continued to set the trend over much of the post-GFC period, as is evident in Figure 5. The 2 per cent norm also became a benchmark for pay rises in non-union firms (IBEC, 2015; *IRN* & Chartered Institute of Personnel and Development, 2016).

Figure 5: Modal percentage of annualised pay rises

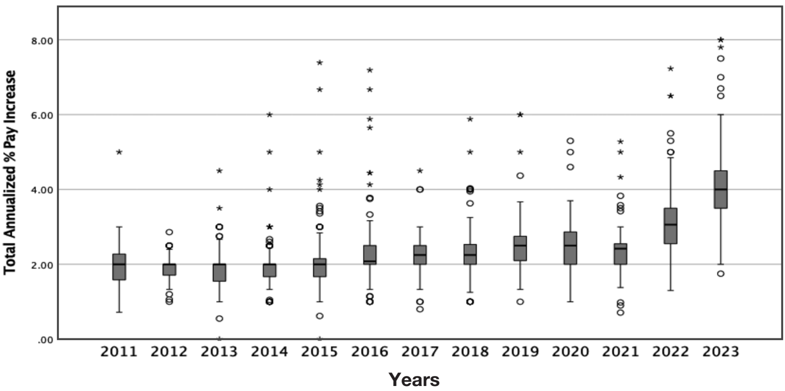


A key SIPTU official involved in setting the 2-per-cent target and negotiating pattern-setting deals indicated that the 2-per-cent bargaining norm took account of pay increases in the German chemical industry and across the German economy and had regard for the European Central Bank's inflation prediction (*IRN*, 2015).

The advent of flexible coordination

Coordination from the start was flexible in the sense that pay deals by design could be of variable duration, as decided by the parties. The boxplot in Figure 6 also shows that some deals significantly exceeded and others lagged the original 2-per-cent bargaining 'norm'.[7] 'Above-the-norm' increases rose erratically over the period. Some of these increases, especially during the early years of pay revival, reflect idiosyncratic settlements linked to local contingencies and affected small numbers or employees. During these years deals also sometimes included de facto pay retrospection to compensate for pay freezes or cuts made following the GFC. The erratic decline in the number of below-the-norm rises (denoted by the circles below 2 per cent in Figure 6) reflects recovery in the economy and labour market. It is evident from the pattern of settlements overall that it was easier for union negotiators to gain above average settlements than settlements lagging the average. Sharply rising median pay settlements and clusters of relatively high awards in 2022 and 2023 (denoted by the circles and Xs (extreme outliers) in Figure 6) reflect the effects of the inflationary spike in these years on pay increases.

Figure 6: Box plot of annualised pay rises



In 2017, SIPTU, the architect of pattern bargaining, announced that the '2 per cent pay strategy was over' (*IRN*, 2017). The ICTU PSC, now became more central to union bargaining strategy. The PSC, in conjunction with the ICTU-linked Nevin Economic Research Institute, began to guide private-sector unions towards bargaining targets in the form of pay-increase ranges. Pattern bargaining had in

[7] To permit annualised pay rises in the box plot to be scaled arithmetically rather than logarithmically with a view to identifying clear patterns in the great majority of pay deals, the most extreme positive outliers (8 per cent or higher) are omitted. Annualised rises at or above 8 per cent constitute less than 1 per cent of all rises and have been omitted from the box plot.

any event been evolving organically into a looser form of pay coordination as economic and labour-market revival gained pace. Now, guidance by the PSC explicitly envisaged a closer alignment between pay and the commercial circumstances of firms and sectors. Pay (increase) ranges replaced singular norms, or minimum 'baseline' rises, to guide unions' negotiating targets. Minimum cash rises and other measures were also recommended to favour lower-paid workers (Paolucci & Roche, 2024a). The PSC recommended progressively higher pay range targets for unions, reflecting high economic growth and dramatic labour-market revival. While upper range rises were seldom attained by many bargaining units, the ranges nevertheless guided unions to target and achieve progressively higher pay rises, as is evident in Figure 6. Pay rises declined during the pandemic. This reflected the postponement of negotiations on new pay deals, the deferral of phased pay rises in deals already agreed, a return to concession bargaining in sectors acutely affected by the virus and the general effects of Covid-19 lockdowns and conditions on the economy and the labour market. Post-pandemic recovery brought high inflation and union attempts to protect real pay, resulting in the highest nominal rises of the period. During 2023, a rise of 7.6 per cent in the minimum wage and an associated rise in the 'living wage' also fostered significant pay rises in a number of companies.

Bargaining coordination mechanisms

Our four case studies demonstrate that, despite the lack of centralised collective bargaining at the national level, trade unions developed alternative mechanisms for coordinating collective bargaining within their organisations ('vertical coordination') after the collapse of the social partnership. These mechanisms revolved around a series of both formal and informal steps that unions undertook before, and during, pay talks. Firstly, each year, from 2015, the PSC brought together leaders of unions across the private sector to compare information and discuss bargaining priorities, informed by macroeconomic data analysed by the Nevin Economic Research Institute. Secondly, prior to initiating a bargaining round, sector-level officials reviewed the yearly pay recommendations proposed since 2015 by the ICTU PSC. These were compared with the average pay deals achieved by local negotiators and adjusted to meet sector-specific conditions. SIPTU, FSU and Mandate recorded all collective agreements signed in the companies in which they negotiated, and used it as a reference to identify priorities, gaps, potential new items for collective bargaining, and subsequent pay targets.

Thirdly, in all companies investigated, unions established formal workplace bargaining structures – committees – that exclusively negotiated collective agreements. Once committees identified a pay target – after reviewing the ICTU recommendations, sectoral economic trends, previous deals, and the company's specific characteristics – these were communicated to members, typically via a survey asking for their opinions on the identified priorities for collective bargaining, including pay-increase proposals and other agenda items. This facilitated active member participation in defining the bargaining agenda. A list of priorities was drafted, followed by general meetings to align members' expectations with the company's financial circumstances. Before negotiating with management, these committees sought a clear mandate from members, who approved the bargaining agenda through various means (ballots, surveys, informal meetings). At the conclusion of the bargaining process, members were balloted again to approve or reject final deals.

Parallel to collective bargaining structures, both at FinCo and at RetailCo, unions also established other forms of workers' participation that were aimed at consulting and informing members about various aspects that concern them, such as the organisation of work, the implementation of new practices and policies, and any potential matters of disagreement. These participation forums supported the bargaining process by maintaining peace on the shop floor and securing ongoing dialogue with management. These partnership structures ran in parallel with collective bargaining.

Across the four case studies investigated, three further modes of union-led 'horizontal coordination' emerged: (1) coordination between multiple unions within workplaces of the same companies, (2) coordination between unions across different workplaces within subsidiaries, and (3) coordination between unions across companies. Firstly, coordination between unions within PharmCo and FinCo was largely informal, operating primarily through informal contacts among union officials and shop stewards. At PharmCo, SIPTU and Connect Union representatives maintained a close, ongoing informal relationship, while at FinCo, FSU representatives merely informed their Unite and SIPTU counterparts of bargaining outcomes. At RetailCo, collaboration between unions was the most structured among the cases investigated. A formal system allowed Mandate and SIPTU to coordinate, starting with members electing representatives to a national group of shop stewards. These stewards then elected a national negotiating team, where unions were proportionally represented. Once formed, the two unions within this structure developed a common bargaining strategy. FoodCo was the exception. Here neither formal nor informal coordination occurred between SIPTU and Connect due to a deterioration in personal relationships between union leaders.

Secondly, there was no collective bargaining coordination between the unions operating within subsidiaries of PharmCo and FoodCo. Each union negotiated independently with management and unsynchronised bargaining cycles hindered union collaboration. At FoodCo, the complex relationship between Unite and SIPTU precluded cooperation across workplaces. In contrast, at RetailCo, the national negotiating team negotiated for all members and coordinated activities across stores with the support of the national group of shop stewards – ensuring consistency in bargaining priorities. At FinCo, coordination was facilitated by the Sectoral Committee, where shop stewards from different divisions jointly set the bargaining agenda.

Finally, the most formal system of coordination across companies (within the same sector) was found in the financial service industry, in which all officers of all FSU Sector Committees sat on the General Council and agreed on a common bargaining strategy. In parallel to that, all FSU lead negotiators in all banks met formally four times a year and informally every week to discuss collective bargaining developments. Informal and formal meetings among the sector-level trade union officials, who participated in negotiations at the company level, occurred in all the other sectors investigated, including retail, food and drink, and pharmaceuticals. At these meetings, the conversations revolved around items and priorities for collective bargaining. Trade union leaders kept each other informed about the latest deals and shared their gains and challenges with colleagues. Such interactions were instrumental in strengthening personal networks and relationships, which were vital in securing bargaining coordination between unions at all levels, within and across companies.

In summary, trade unions generally and in the companies examined specifically devised a series of mechanisms to coordinate collective pay bargaining. The PSC developed overarching frameworks to guide union negotiating activity in firms and the few sectors still engaged in multi-employer bargaining. Unions in all the case companies also developed multilevel mechanisms to coordinate collective bargaining. Within-union coordination occurred mainly via sector-level officials who participated in companies' committees and shaped the bargaining strategy in dialogue with shop stewards. More variation was found in the depth of coordination between unions within and across firms. It was deeper where union leaders had a history of cooperative relationships, and in companies such as FinCo and RetailCo, in which the industrial relations model was supported by workplace partnership structures.

Economic and labour-market influences

While pay coordination by unions impacted significantly on developments in pay determination after the GFC, it was clear from interviews, case studies and union documents that prevailing and projected economic and commercial conditions influenced unions' coordination objectives and pay targets. During the pattern-bargaining phase, the 2 per cent pay norm took account of inflation projections and other national and international labour-market developments, including pay trends in German manufacturing. When coordination loosened and became more flexible in the wake of economic recovery, projected rates of inflation, productivity growth, and inflation and productivity featured in the guidance provided to union negotiators by the PSC. Negotiators were also now explicitly advised to take 'account of the prevailing circumstances in … individual employments' and in different sectors and to seek compensation for the growth in productivity (see for example ICTU PSC, 2017). Unions were further advised to seek minimum cash rises and to press for a 'living wage' for lower-paid workers. As inflation spiked between 2021 and 2023, PSC guidance also highlighted the effects of rising prices on real wages (ICTU, 2022).

Whether unions acted in a manner consistent with these recommended pay norms, commentaries and guidelines can be examined by modelling annual pay rises. During the pattern-bargaining years (2011–6), the 2 per cent norm largely shaped pay determination. No significant sectoral disparities were associated with pay rises (see Roche & Gormley, 2018). With economic revival and the move to flexible coordination from 2017, the picture changed in significant respects. The rate of inflation became directly associated with the scale of pay rises. Consistent with the thrust of PSC advice, unions' willingness to accept changes linked to enhanced productivity also affected pay rises (see below for details of the productivity concessions agreed). Again, consistent with PSC advice, significant disparities emerged in pay rises between sectors, especially favouring construction, where the dramatic recovery of commercial office and house building led to significant pay-rise premia over other sectors (Roche & Paolucci, 2024).

Collective bargaining outcomes

In considering a series of outcomes associated with the transformation of collective bargaining after the GFC, we begin by examining developments in pay and conditions of employment and then consider outcomes in other areas of collective bargaining.

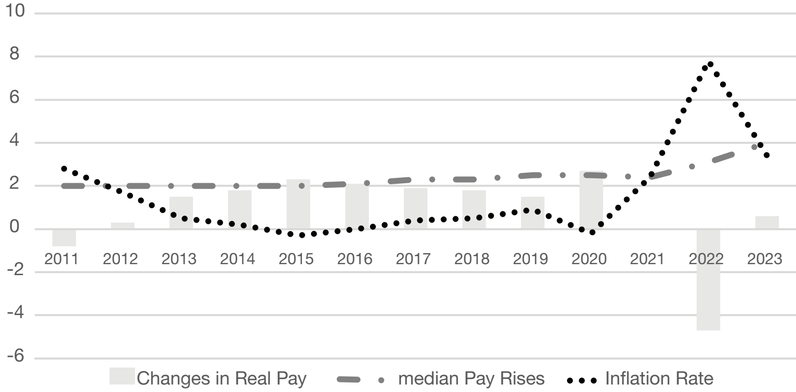
Pay and conditions of employment

Modest recurring annual pay rises have led to gains in real pay over most years since 2011. Figure 7 shows that this pattern was reversed from 2021 when the effects of Covid-19, escalating inflation, especially the 7.8 per cent inflationary peak in 2022, resulted in real pay stagnation, followed by a sharp decline in median real pay. A median pay rise of 4 per cent in 2023, the highest recorded since 2011, combined with a decline in inflation to 3.4 per cent, led to a further modest recovery in real pay. During the inflationary peak, unions commonly targeted the rate of inflation in formulating pay demands – seldom achieving more than partial compensation. Overall, between 2011 and 2023, compound cumulative median pay increased by 35.6 per cent, whereas inflation over the same period rose by 25 per cent.[8] This marks a significant improvement in median real pay over the course of collective pay bargaining since 2011.

Many agreements (37 per cent) also made provision for improvements in a range of fringe benefits and over time benefits of different kinds have trended upwards with economic revival, strong growth and increasingly common employer reports of challenges in recruiting and retaining staff (see Figure 8). A rising trend is particularly prominent in the miscellaneous ‘other improvements’ category. These improvements comprise a wide range of enhancements to benefits, including maternity benefits, parental leave, pathways to full-time permanent working, annual leave entitlements, compassionate leave, working groups on new technology, improvements in pension and sick pay, increases in

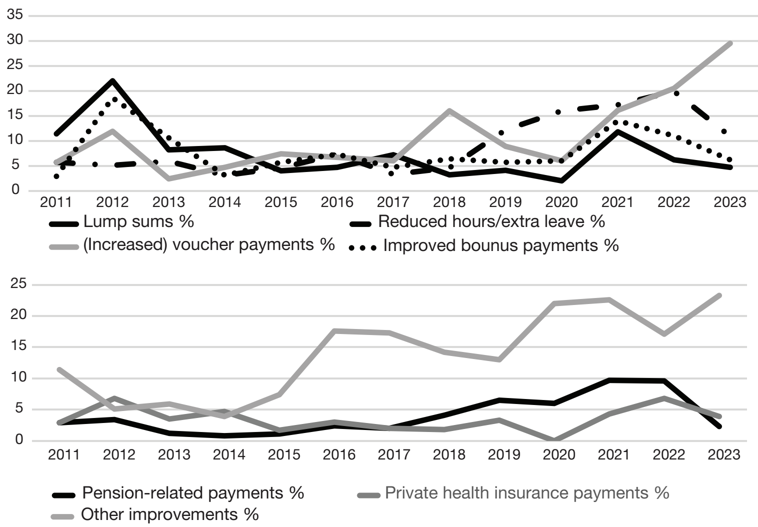
[8] The compound cumulative median pay increase was calculated based on the data in Figure 2. Data on the change in the retail price index was obtained from the Central Statistics Office at www.cso.ie/en/statistics/prices/consumerpriceindex/

Figure 7: Trends in median pay rises, annual inflation and real pay



gainsharing payments, staff discounts, staff commuting facilities, health insurance benefits, trial schemes on extended retirement age, banded hours for employees on variable hours, and remote work. The upward trend encompasses both non-consolidated benefits, for example, lump sums and vouchers, and benefits consolidated into pay and conditions, such as reductions in working hours and health and pension benefits.

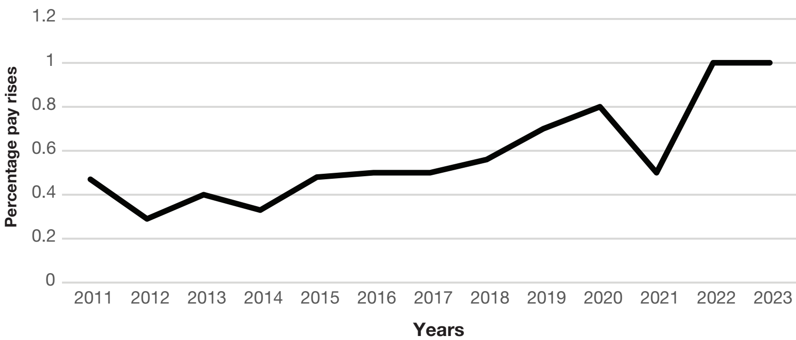
Figure 8: Percentage of agreements providing for improvements in terms and conditions of employment



The dispersion of pay rises

The dispersion of pay increases from 2011 is illustrated in Figure 9. The interquartile range (IQR) is used as the measure of dispersion, profiling the gap between the seventy-fifth and the bottom twenty-fifth percentiles of pay rises.[9] The IQR rises over the period, particularly following the resurgence of strong economic growth and the advent of flexible pay coordination. Dispersion dips during the most serious phase of the Covid-19 pandemic and following Brexit, when relatively few pay agreements were concluded and pay freezes and deferred pay rises again became more common. The substantive effects of rising dispersion still appear quite modest. At its highest level in 2022 and 2023, the IQR indicates that the gap separating top-level from bottom-level annual pays rises on this measure was 1 per cent.

Figure 9: The trend in the dispersion of pay rises – the interquartile range

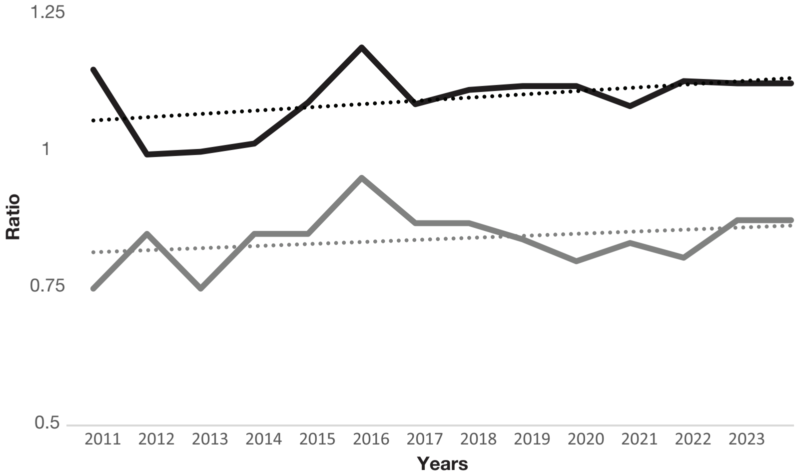


Pay guidelines issued by the PSC have commonly prioritised protecting lower-paid employees – the committee advising member unions to press for minimum cash rises or higher percentage rises for those on relatively low pay. To some degree, growing dispersion in pay rises may have been countered by non-consolidated cash and voucher payments that do not show up in the pay rises recorded in agreements. Figure 10 shows that the top twenty-fifth percentile of pay rises (Q4) pulled away from the median over some of the period, although overall the trend is not pronounced. The bottom twenty-fifth percentile of pay rises (Q1) appear overall to have kept pace with middle earners. Influencing these trends were improvements over the

[9] The IQR excludes the distortive effects of high or low outlier or extreme changes in pay on the trend in dispersion.

period in the national minimum wage, set by the Low Pay Commission (www.gov.ie/en/department-of-enterprise-tourism-and-employment/campaigns/low-pay-commission/), on which unions have representation and the growing traction of the 'living wage', promulgated by the pressure group, Living Wage Ireland (www.livingwage.ie), in which unions are also involved.

Figure 10: Trends in the ratio of the seventy-fifth and the twenty-fifth quartiles to median pay rises

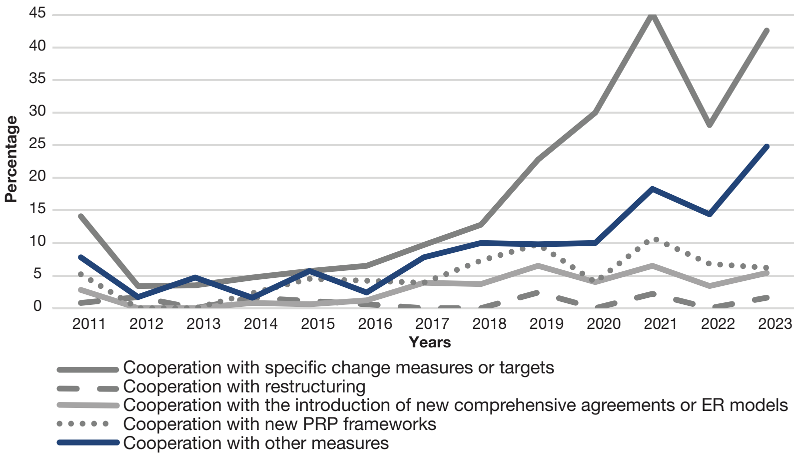


Conditions pertaining to pay rises

While willingness to 'cooperate with normal ongoing change' was a standard feature of pay deals, over the period as a whole, 32 per cent of deals made pay increases conditional on cooperation on specific areas change. Figure 11 shows the trend in the different types of conditionality contained in collective agreements. Miscellaneous firm-specific 'change measures or targets' and 'multiple other measures' include such areas as changes in work schedules and rosters, production and profit targets, introduction of new technologies, training and engagement with the implementation of new flexible operating models. The most prevalent areas in the sizeable rise in cooperation with 'specific change measures or targets' and 'other measures' in recent years were 'upskilling employees', 'gaining commitment to tackling absenteeism', 'managing redundancies and retirements' (found primarily in banking), 'complying with health and safety provisions during the pandemic' and the 'introduction of new technologies'. Flexibility in 'agreeing to changes to job descriptions, job responsibilities and tasks assigned' were prominent in the manufacturing sector.

While the proportion of agreements containing conditionality clauses fluctuated over the period, most trended upwards. Particularly sharp rises in miscellaneous firm-specific change measures or targets and multiple other measures are evident during 2021–3 when Covid-19, the after-effects of Brexit and high inflation were prominent background features of collective bargaining. Employers in these circumstances appear to have demanded more productivity-related concessions in return for conceding agreed pay rises.

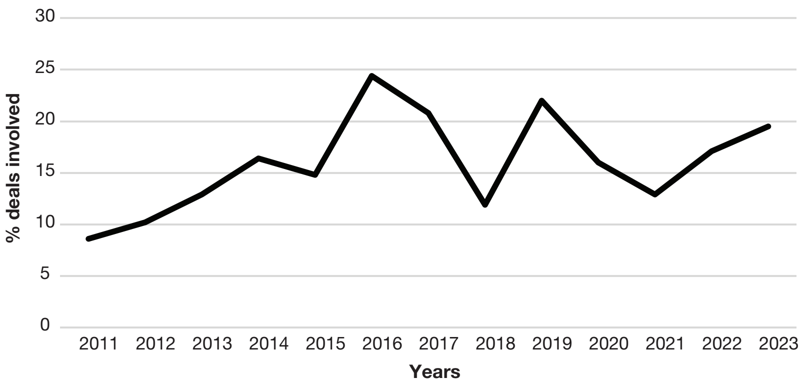
Figure 11: Conditions pertaining to pay rises



Disputes

The return of decentralised bargaining extended a 'golden age' of industrial peace in Irish industrial relations that stretched back into the last decade of social partnership (Roche et al., 2023). The negotiation of deals through direct bargaining engagement between employers and unions, without the need to involve the state dispute resolution bodies, the Labour Relations Commission/Workplace Relations Commission and Labour Court, is commonly regarded as a feature of positive and effective industrial relations between unions and employers. Overall, less than 17 per cent of all deals concluded since 2011 required the referral of associated disputes to external third-party agencies. The trend in third-party referrals is shown in Figure 12. The pattern revealed is an uneven rise in the incidence of disputes referred to state agencies over the period. While disputes lead to significant work stoppages during decentralised bargaining, particularly in transport firms, overall, the period since 2011 has been characterised by orderly industrial relations. Sectional 'leapfrogging claims' and competitions in militancy between unions common in earlier periods of decentralised bargaining have been almost totally absent (Roche, 1997).

Figure 12: Referrals of disputes (percentage of deals involved) to the Labour Relations Commission/Workplace Relations Commission and Labour Court



Pay bargaining and social dialogue

Following the advent of the GFC, unions, employers and government sought agreement on a strategy to manage the effects of the crisis on Ireland's financial institutions, economic output and the public finances. For the first time in more than twenty years, no tripartite accommodation proved possible. Employers and the state supported a competitive devaluation of pay and promoted short to medium-term measures to achieve fiscal consolidation. Unions sought support for a 'social solidarity pact' involving, inter alia, the maintenance of pay levels and longer-term fiscal consolidation goals (Roche, 2011; Roche & Higgins, 2016). With the collapse of social partnership, tripartite engagement between the social partners became an anathema to employers and governments. Unions quickly adjusted to the new reality that there was little prospect of the restoration of centralised pay bargaining or social partnership and, having identified advantages in decentralised bargaining, developed strategies to reap these.

If social partnership remained an anathema, references by the erstwhile social partners to the more nebulous concept of 'social dialogue' continued. If these meant anything substantive, they meant initially a willingness by government departments to consult with unions and employers on a needs basis and only bilaterally. This began to change in the years prior to the Covid-19 pandemic, when unions and employers sought a deepening of social dialogue around major national challenges. The government responded by establishing the Labour Employer Economic Forum (LEEF), which became the focal institution for tripartite engagement around areas such as competitiveness, sustainable job creation, labour-market standards, equality and gender issues in the workplace. The LEEF became an influential forum for policy development in response to Covid-19, contributing to the development of wage and job support measures, new unemployment benefit payments for those laid off as a consequence of the pandemic, protocols for safe working and for returning to work following the easing and ending of lockdowns. Further institutional support for social dialogue emerged with the creation of a social dialogue unit in the Department of the Taoiseach (Prime Minister) and with EU backing for greater levels of social dialogue at multiple levels, including at national and EU levels.

A milestone in the evolving process of social dialogue was the creation by LEEF of a High Level Group on Collective Bargaining in 2022. The group's brief was to report on measures to extend and strengthen collective bargaining in the shadow of the EU Directive on Adequate Minimum Wages and Ireland's obligation to transpose the Directive into Irish law. Employers' representatives and union leaders have continued to call for deeper and more wide-ranging social dialogue to address a series of common challenges, including competitiveness, inflation, climate change and international conflict (McCoy, 2022; *IRN*, 2023).

Union and employer leaders, and members of the government have stated that social dialogue needed to be distinguished from social partnership. No party currently supports a return to the tripartite model prevailing from 1987 to 2009, in which public policy concessions were traded off against moderate pay increases. Yet some union and employer leaders and some government ministers have tentatively envisaged linking pay restraint with the 'social wage' encompassing social security benefits in a manner reminiscent of social partnership agreements (*IRN*, 2022a; McCoy, 2022). During public service pay negotiations in 2022, the leader of the negotiating team and ICTU

President, Kevin Callinan, also highlighted the link between government policies, the social wage and the prospects of achieving an acceptable public service pay settlement (*IRN*, 2022b).

It is possible that growing avowals of the value of social dialogue and much more tentative comments on the relevance of government policies for pay bargaining could congeal into more substantive tripartite dialogue covering pay, taxation, social supports and other policy measures. Were this to occur, agreed tripartite central guidelines might both shape and constrain collective bargaining at firm and sector levels in a process of 'organised recentralisation' – the converse of the 'organised decentralisation' that has been common across Europe in response to the GFC (Tros, 2023).

It appears more likely, however, that one of the avowed achievements of 'social dialogue' to date, the proposals emanating from the LEEF High Level Group on Collective Bargaining, if acted upon, could further embed decentralised collective bargaining in firms and sectors, buttressing the model prevailing since 2011.[10] The catalyst for convening the High Level Group was the 2020 EU Directive on Adequate Minimum Wages and the Directive's objective of increasing the coverage of collective bargaining, currently standing at about 34 per cent in Ireland. The group was convened on the joint initiative of ICTU and IBEC. The High Level Group recommended that collective bargaining at company and sector levels should be strengthened and extended through various methods.[11] Firstly, the operation of the so-called 'right to bargain' procedure, established between 2002 and 2005 and amended in 2015, should be strengthened by providing for the appointment of technical assessors to the Labour Court. The procedure provides unions with a means of representing members and achieving bargaining outcomes where employers refuse to concede recognition. Use of the current procedure is constrained by unions' difficulties is establishing an evidential basis for claims based on comparisons with prevailing pay and conditions in similar firms. Technical assessors are intended to assist the parties in validating (or otherwise) comparability claims. Secondly, the group recommended the removal of the employers' veto on reconvening sector-level Joint

[10] At the time of writing, the parties appear deadlocked on how to transpose Article 4 provisions in the directive requiring a guiding framework and action plan to extend collective bargaining. See Roche & Doherty, 2025.

[11] It should be disclosed that one of the authors was an independent member of the High Level Group, nominated by the then Minister for Enterprise, Trade and Employment, Leo Varadkar.

Labour Committees (JLCs) established to determine pay and conditions in low-pay industries. Following a series of High Court challenges by groups of employers in 2011 and 2013, these arrangements were struck down as repugnant to the Constitution. A series of reforms led to a minority of JLCs (three out of eight) being reconvened, with one JLC newly created. Finally, the group recommended that employers should be obliged to enter into 'good faith engagement' with trade unions in circumstances where recognition is denied to them. This is intended to provide unions with a pathway for representing their members' views or claims on pay and conditions to employers, who will be required to give genuine consideration and to provide a considered and reasoned response. Employers however are not obliged to conclude collective agreements (LEEF, 2022). While the group's recommendations reflected tripartite consensus on measures required to strengthen and extend collective bargaining, unions, employers and government currently disagree on whether the changes mooted require changes to legislation or can be given effect through an agreement between the social partners (*IRN*, 2024).

If the parties can reach agreement about the implementation of the High Level Group's recommendations and these prove effective, the result may be that collective bargaining at company and sector levels will be significantly strengthened. Such outcomes can be expected to underwrite decentralised pay-bargaining arrangements and practices in firms and sectors. As a consequence, social dialogue and pay bargaining may continue to proceed, as at present, along parallel rather than converging tracks.

Discussion and conclusions

Much of the international literature on collective bargaining since the GFC portrays Ireland as a case involving uncoordinated decentralisation and associates such a regime with a worsening of pay and conditions of employment for union members and malign economic and labour-market effects. This view has been challenged by this paper. We show that pay bargaining since the GFC has been coordinated through well-articulated vertical and horizontal mechanisms, initially shaping pattern bargaining and subsequently shaping what we have called flexible coordination. Ireland represents a case of dynamic and effective adaptation to changing economic conditions. In contrast with expectations in much of the literature, it is apparent that macroeconomic pressures, sectoral-level conditions and measurable firm-level influences have been ‘internalised’ by unions (OECD, 2019; Garnero, 2021). Operating within an evolving coordination framework developed by unions, pay bargaining has taken account of a series of macroeconomic, sectoral and microeconomic conditions. Flexibility has been provided for in the timings and durations of pay deals, in phasing arrangements associated with multi-annual agreements and in attuning pay to firm-level productivity measures.

Bargaining outcomes for unions have also been impressive in delivering real pay rises, significant improvements in conditions and in engaging union activists and members in firm-level representative arrangements. Pay rises have become more dispersed with economic revival and growth, and the advent of flexible coordination, but unions continue to seek to contain pay inequality through bargaining measures favouring the lowest paid and the annual dispersion of pay rises as between the seventy-fifth and twenty-fifth percentiles has been contained to within 1 per cent and has most often been significantly lower. The pay rises negotiated with employers have been competitively sustainable and have had no evident effect on job creation. Employers have not sought to impose or canvass an alternative model of pay determination, while governments, the Central Bank or the EU, through its European Semester system, have not expressed any major concerns about pay costs or collective bargaining in Ireland. Rather, pay bargaining has maintained Ireland’s competitiveness, with nominal unit labour costs falling relative to major trading partners.[12] Levels of industrial conflict remain at their lowest in Irish industrial relations history (Roche et al., 2024).

It bears emphasis finally that pay determination in Ireland since the GFC has been transformed through the advent of pattern bargaining and the move towards more flexible coordination. The ‘pay rounds’ that shaped past periods of decentralised bargaining have disappeared. The current model shows signs of continuing stability. While tripartite ‘social dialogue’ is again in vogue as a mechanism for responding to major economic and environmental challenges, no significant support has emerged, or currently seems likely, for coupling

[12] Concern was expressed about a possible pay–price spiral during the inflationary peaks of 2022–3 but this abated as inflation declined and no evidence of a pay–price spiral emerged. For details of the trend in nominal unit labour costs in Ireland relative to European trading partners see Eurostat:
https://ec.europa.eu/eurostat/databrowser/view/nama_10_lp_ulc/default/table?lang=en

social dialogue with pay bargaining through the organised recentralisation of collective bargaining. Recent proposals to promote collective bargaining coverage, if proceeded, seem likely to strengthen current bargaining arrangements and further institutionalise and extend decentralised pay coordination.

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