



STATUTORY INSTRUMENTS.

S.I. No. 92 of 2010



STATISTICS (NATIONAL EMPLOYMENT SURVEY) ORDER 2010

(Prn. A10/0335)

STATISTICS (NATIONAL EMPLOYMENT SURVEY) ORDER 2010

I, PAT CAREY, Minister of State at the Department of the Taoiseach, in exercise of the powers conferred on me by section 25(1) of the Statistics Act 1993 (No. 21 of 1993) and the Statistics (Delegation of Ministerial Functions) Order 2009 (S.I. No. 170 of 2009), hereby order as follows:

1. This Order may be cited as the Statistics (National Employment Survey) Order 2010.

2. In this Order—

“Act” means Statistics Act 1993 (No. 21 of 1993);

“enterprise” has the meaning given to it by Regulation (EC) No. 1738/2005 of the European Parliament and of the Council of 21 October 2005¹;

“forms and questionnaires” means the forms and questionnaires referred to in Article 5(a);

“survey” means National Employment Survey 2009 to be carried out by the Office during the year 2010.

3. (1) This Order applies to—

(a) an enterprise which is classified for statistical purposes under section B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R or S of NACE Rev. 2, set out in Annex I to Regulation (EC) No. 1893/2006 of the European Parliament and of the Council of 20 December 2006², which has 3 or more employees and which is required by the Office to participate in the survey, and

(b) an employee employed by an enterprise to which paragraph (a) applies who is selected by that undertaking, in compliance with a direction under section 26 of the Act, to participate in the survey.

(2) An enterprise to which paragraph (a) applies shall, on receipt of forms and questionnaires, distribute to each of its employees selected in accordance with paragraph (1)(b), the forms and questionnaires addressed to or applicable to that employee.

¹OJ No. L279, 22.10.2005, p.32.

²OJ No. L393, 30.12.2006, p.1.

4. (1) Each enterprise to which this Order applies is required to provide information to the Office for the purpose of the survey, the general nature of which is specified in Schedule 1.

(2) Each employee to whom this Order applies is required to provide information to the Office for the purpose of the survey, the general nature of which is specified in Schedule 2.

5. An enterprise or employee required by this Order to provide information to the Office shall provide such information—

(a) by the completion of forms and questionnaires prepared by the Director General in accordance with section 23 of the Act, and

(b) where directions under section 26 of the Act have been given to the enterprise or employee, in accordance with those directions.

SCHEDULE 1

Article 4(1)

Information in relation to the year 2009, or a reference period in October 2009, as the case may be, regarding—

- (a) the total number of persons engaged in the enterprise and a breakdown by occupation and gender of those persons on 31 December 2009,
- (b) the total number of employment agency staff engaged in the enterprise on 31 December 2009,
- (c) the provision of information to employees during 2009,
- (d) the existence of an Employment Regulation Order (ERO) or Registered Employment Agreement (REA) covering employees and whether the terms and conditions specified in any such orders/agreements were renegotiated in the year 2009,
- (e) whether rates of pay, overtime rates, weekend rates of pay, shift allowances and premiums, transport or mileage rates, subsistence payments, health insurance schemes or working patterns were renegotiated in the year 2009,
- (f) the number of employees in the enterprise paid the national minimum wage and the number of employees paid the sub-minimum rates for young people and trainees in the year 2009,
- (g) the enterprise's training activities and the effects of same in the year 2009,
- (h) the costs and funding of the enterprise's training activities in the year 2009,
- (i) whether cuts were implemented in the enterprise in relation to number of persons employed, salaries, hours worked, paid leave, bonuses, allowances, premiums and overtime in 2009,
- (j) the percentage pay rise or pay cut implemented by the enterprises for each of the occupational groupings in the enterprise in 2009,
- (k) the time taken to complete the questionnaire,
- (l) individual employee data for reference period October 2009, for each employee to whom this Order applies who is employed by the enterprise concerned, including name, occupation, PPS number, earnings, number of weeks to which his or her gross annual earnings relate, number of hours worked by each such employee, number of days absent and type of employment contract under which he or she is working.

SCHEDULE 2

Article 4(2)

1. Information, in relation to the year 2009, or a reference period in October 2009, as the case may be, regarding the employee concerned, as to his or her—

- (a) gender, age, nationality, and place of residence,
- (b) county where employment is located,
- (c) days of unpaid absence from the job,
- (d) education, occupation and employment history, and
- (e) job characteristics and attendance patterns.

2. Information in relation to whether the employee is paid the national minimum wage rate or the sub-minimum rates for young people and trainees, any changes in the employees' conditions of employment in 2009, the percentage wage increase/decrease for the employee in 2009.

GIVEN under my hand,
4 March 2010.

PAT CAREY,
Minister of State at the Department of the Taoiseach.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
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