



STATUTORY INSTRUMENTS.

S.I. No. 115 of 2018



STATISTICS (LABOUR COSTS SURVEY) ORDER 2018

STATISTICS (LABOUR COSTS SURVEY) ORDER 2018

I, LEO VARADKAR, Taoiseach, in exercise of the powers conferred on me by section 25(1) of the Statistics Act 1993 (No. 21 of 1993) and, other than in relation to paragraphs 1(k) and 2 of the Schedule to the following order, for the purpose of giving full effect to Council Regulation (EC) No. 530/1999 of 9 March 1999¹, Commission Regulation (EC) No. 1726/1999 of 27 July 1999², Commission Regulation (EC) No. 1916/2000 of 8 September 2000³, Regulation (EC) No. 450/2003 of the European Parliament and of the Council of 27 February 2003⁴, Commission Regulation (EC) No 1216/2003 of 7 July 2003⁵, Regulation (EC) No. 1882/2003 of the European Parliament and of the Council of 29 September 2003⁶, Commission Regulation (EC) No. 1737/2005 of 21 October 2005⁷, Commission Regulation (EC) No. 1738/2005 of 21 October 2005⁸, Commission Regulation (EC) No. 698/2006 of 5 May 2006⁹, Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006¹⁰, Commission Regulation (EC) No 224/2007 of 1 March 2007¹¹, Commission Regulation (EC) No. 973/2007 of 20 August 2007¹², Regulation (EC) No. 453/2008 of the European Parliament and of the Council of 23 April 2008¹³, Commission Regulation (EC) No. 1062/2008 of 28 October 2008¹⁴, Commission Regulation (EC) No. 19/2009 of 13 January 2009¹⁵, Regulation (EC) No. 596/2009 of the European Parliament and of the Council of 18 June 2009¹⁶, Commission Regulation (EC) No. 1022/2009 of 29 October 2009¹⁷ and Commission Regulation (EC) No. 317/2013 of 8 April 2013¹⁸, hereby order as follows:

1. This Order may be cited as the Statistics (Labour Costs Survey) Order 2018.

2. (1) In this Order—

¹OJ No. L63, 12.3.1999, p.6

²OJ No. L203, 3.8.1999, p.28

³OJ No. L229, 9.9.2000, p.3

⁴OJ No. L69, 13.3.2003, p.1

⁵OJ No. L169, 8.7.2003, p. 37

⁶OJ No. L284, 31/10/2003, p.1

⁷OJ No. L279, 22.10.2005, p.11

⁸OJ No. L279, 22.10.2005, p.32

⁹OJ No. L121, 6.5.2006, p.30

¹⁰OJ No. L.393, 30.12.2006, p.1

¹¹OJ No. L64, 2.3.2007, p.23

¹²OJ No. L216, 21.8.2007, p.10

¹³OJ No. L145, 4.6.2008, p. 234

¹⁴OJ No. L285, 29.10.2008, p.3

¹⁵OJ No. L9, 14.1.2009, p.3

¹⁶OJ No. L188, 18.7.2009, p.14

¹⁷OJ No. L283, 30.10.2009, p.3

¹⁸OJ No. L99, 9.4.2013, p.1

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 13th April, 2018.*

“irregular”, in relation to the payment of a wage or salary, means a payment that is not paid regularly at each pay period, and shall be construed in accordance with Commission Regulation (EC) No. 1726/1999 of 27 July 1999², as amended by Commission Regulation (EC) No. 1737/2005 of 21 October 2005⁷;

“job vacancies” shall be construed in accordance with Article 2(1) of Regulation (EC) No. 453/2008 of the European Parliament and of the Council of 23 April 2008¹³;

“national minimum hourly rate of pay” has the meaning it has in section 2 of the National Minimum Wage Act 2000 (No.5 of 2000);

“quarter” means a period of 3 months ending on 31 March, 30 June, 30 September or 31 December in any year;

“regular” in relation to the payment of a wage or salary, means a payment that is paid regularly at each pay period, and shall be construed in accordance with Commission Regulation (EC) No. 1726/1999 of 27 July 1999², as amended by Commission Regulation (EC) No. 1737/2005 of 21 October 2005⁷;

“survey” means the Labour Costs Survey that is conducted by the Central Statistics Office for the purposes of obtaining from undertakings to which this Order applies information specified in the Schedule, including for the purposes of compliance with the Regulations.

(2) For the purposes of paragraph 2 of the Schedule, an employee is a professional, an associate professional or a technician where the carrying out of the main duties of his or her employment requires a high level of professional or technical knowledge, and experience, in the field of physical or life sciences, social sciences or humanities.

3. This Order applies to an undertaking that is classified for statistical purposes under any section, other than sections A, T and U, of NACE Rev. 2, as set out in Annex I to Regulation (EC) No. 1893/2006 of the European Parliament and of the Council of 20 December 2006¹⁰.

4. A requirement on undertakings to which this Order applies to provide, quarterly and in relation to the immediately preceding quarter, in the period commencing on the date on which this Order comes into operation and ending on 31 March 2023, information the general nature of which is specified in the Schedule is prescribed for the purposes of section 25 of the Statistics Act 1993 (No. 21 of 1993).

SCHEDULE

Article 4.

1. Information regarding the following, as it relates to the undertaking concerned and specifying the quarter to which the information relates:

- (a) number of persons, separately identifying totals in respect of full-time employees, part-time employees and apprentices and trainees, who were:
 - (i) employed on the first day of the quarter;
 - (ii) employed on the last day of the quarter;
 - (iii) hired during the quarter;
- (b) number of job vacancies on the last working day of the quarter;
- (c) total cost of wages and salaries and other forms of compensation and benefits incurred during the quarter, broken down into regular, irregular and overtime payments and separately identifying totals in respect of full-time employees, part-time employees and apprentices and trainees;
- (d) total of the following, separately identifying totals in respect of full-time employees, part-time employees and apprentices and trainees:
 - (i) paid hours (both contracted and overtime) during the quarter;
 - (ii) paid hours not worked, broken down into annual leave and bank holidays, maternity leave, sick leave and other leave;
- (e) cost of pension contributions made during the quarter on behalf of employees;
- (f) total cost of social security contributions incurred during the quarter (broken down into Employer PRSI, Income Continuance Insurance, redundancy payments and other employee-related payments) in respect of full-time and part-time employees and apprentices and trainees;
- (g) total cost of other forms of compensation and benefits (broken down into the private use of company cars, stock options and share purchase schemes, voluntary sickness insurance, staff housing and other free or subsidised benefits) which, during the quarter, were paid or given to, or for the benefit of, full-time and part-time employees;
- (h) training costs (excluding apprentice and trainees wages and salaries) incurred during the quarter;

- (i) other costs and expenses incurred during the quarter by reason of the employment or use of labour;
- (j) total amount received during the quarter of subsidies towards, or refunds of, the cost of direct remuneration paid to employees, including apprentices and trainees;
- (k) number of employees who, at the end of the quarter, were paid at an hourly rate of pay equal to the national minimum hourly rate of pay.

2. Information referred to in paragraph 1, classified by the following occupational categories:

- (a) Managers, Professionals and Associate Professionals, which category includes:
 - (i) chief executive officers and managers of enterprises;
 - (ii) public representatives and senior public officials;
 - (iii) professionals, associate professionals and technicians;
- (b) Clerical, Sales and Service Workers, which category includes:
 - (i) customer services and office clerks;
 - (ii) personal services and sales workers;
 - (iii) personal care and protective service workers;
- (c) Production, Plant and Transport Workers, Craft and Tradespersons and other Manual Workers, which category includes:
 - (i) production workers, plant and machine operators and assemblers;
 - (ii) skilled craft and related trade workers;
 - (iii) labourers in mining, construction, manufacturing and transport;
 - (iv) cleaners and food preparation assistants;
 - (v) other manual workers.

3. Information on the time taken by the undertaking concerned to complete the questionnaire, form or other record prepared by the Director General for the collection of the information referred to in paragraphs 1 and 2.



GIVEN under my Official Seal,
10 April 2018.

LEO VARADKAR,
Taoiseach.

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