

EUROPEAN SEMESTER **Country Case Study: Ireland**

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THE EFISTU PROJECT

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1. Context

1.1 The economic, social and political context since the crisis

In the years immediately before and after the turn of the millennium, the Republic of Ireland experienced considerable economic growth, earning the country the nickname of the 'Celtic Tiger'. This growth is attributed to a number of factors including low levels of corporate tax that acted as a magnet for direct investment by multinational corporations, many based in the United States. Other factors identified include much improved infrastructure (often supported by European Union investment) and the enhanced sense of stability and security following implementation of the Belfast Agreement 1998 (also known as the *Good Friday Agreement*). However, underpinning this rapid growth, were the future sources of crisis as rapid expansion fuelled a property bubble which was in turn financed by a poorly regulated banking system. The consequence was that in 2007-2008, when the global financial crisis broke, Ireland found itself exposed to the consequences far more than many other European countries (Donovan and Murphy, 2013).

Ireland was the first country in the Eurozone to officially declare a recession, in September 2008, as public finances rapidly deteriorated and both unemployment and outward migration increased dramatically. In January 2009, unemployment reached its highest recorded level, peaking in September 2012 at 16%. Irish banks were immediately plunged into crisis and, in September 2008, the Irish government issued a two-year guarantee for all the debt of six banks. Shortly after, in November 2010, the Irish *Taoiseach* (Prime Minister) confirmed that a combination of the European Commission, the European Central Bank and the International Monetary Fund (*the Troika*) would oversee Ireland's financial affairs.

Ireland's public finances were hit hard by the crisis with a budget deficit caused by shrinking tax revenues and rising recession-related government spending. These problems were exacerbated further by the need to support the bail out of Irish banks. This inevitably impacted on public sector services and the people who work in them. One of the first actions taken by the government was to suspend the social partnership that existed between employers, government and trade unions, across public and private sectors, and which was responsible for, among many things, negotiating national pay awards. Public sector workers experienced imposed pay cuts in both 2008 and 2009, with 2010 seeing the re-establishment of a system of negotiation with trade unions but still based on an agenda driven by austerity and public sector cuts. Further details about public sector industrial relations are provided in a subsequent section but, at this point, it is simply necessary to acknowledge the dramatic impact that the economic crisis had on Ireland's public services, its public sector workers and on the industrial relations framework in the public sector.

In due course, Ireland's economy has emerged from recession, with a growth rate of 4.8% recorded in 2014, and Ireland has recorded the highest economic growth in the European Union in each year since 2014 (although it is acknowledged that Ireland's GDP figures can be distorted unhelpfully by the impact of a relatively small number of large multinational corporations). In December 2013, the Taoiseach had announced that Ireland was exiting the Troika's economic adjustment programme and, from 2014, Ireland formally became part of the European Semester process. Until that time, as a 'programme country', Ireland had sat outside of the European Semester system of economic governance. Ireland's emergence from the crisis has often been seen as presented as the 'poster child' of the European Commission due to its strict adherence to fiscal rules and subsequent recovery (Elliot, 2011). Since exiting the adjustment programme, Ireland's economy has continued to grow, although serious concerns exist about the slow recovery of its social infrastructure. Moreover, issues of pay inequality in the public sector, that are a direct consequence of policies implemented after the crisis, continue to be a source of grievance for many public sector workers.

More recently, Ireland's economic progress has looked more erratic as the global economy has shown signs of a slowdown. Of particular concern in Ireland, is the country's exposure to an economic shock induced by the UK's withdrawal from the European Union.

Irish politics, in recent years, has been dominated by two major parties, who have alternated in government, often with the support of minor parties. Immediately after the economic crash, a Fianna Fáil-led government (with Green Party support) suffered heavy electoral defeat. The government was replaced by a Fine Gael coalition with support from the Labour Party. Since the 2016 election, and a heavy loss of seats for Labour, Fine Gael has operated as a minority government. This has created an interesting political balance of power and may have opened up opportunities for movements outside of parliament which seek to influence those in parliament.

Table 1: Ireland - key economic data

IRELAND - KEY ECONOMIC DATA								
						FORECAST		
	2004-07	2008-12	2013-15	2016	2017	2018	2019	2020
Real GDP growth	5.6	-0.8	11.3	5.0	7.2	6.8	4.1	3.7
Unemployment rate	4.8	13.0	11.9	8.4	6.7	5.6	5.1	4.9
Inflation	2.5	0.6	0.3	-0.2	0.3	0.7	0.9	1.4
Nominal compensation per employee	5.1	0.4	0.9	2.1	0.9	2.7	3.0	3.4
Private sector debt % GDP	177.1	260.6	284.0	283.3	243.6	na	na	na
Public sector debt % GDP	25.5	84.1	100.2	73.4	68.4	63.9	61.1	56.0
General government balance % GDP	1.5	-14.7	-3.9	-0.5	-0.2	-0.1	-0.1	0.2

1.2 Social dialogue and industrial relations at national level

Ireland's industrial relations framework can be considered as a hybrid which includes features of both liberal and corporatist systems (Maccarone, Erne and Regan, 2019). Historically, the system has strong voluntarist elements with limited involvement by the state in shaping industrial relations institutions and legal frameworks. In this sense, this history can be considered as shared with the United Kingdom, which also had a historical tradition of minimising state involvement in industrial relations. However, in the 1980s, when Thatcherite policies directed UK employment policy towards a combination of de-regulated labour markets and state intervention in industrial relations, the Republic of Ireland took a very different path by adopting a particular form of corporatism referred to as social partnership (Hastings, Sheehan and Yeates, 2007).

The social partnership existed in Ireland between 1987 and 2009 and involved tripartite negotiations between employers, the government and trade unions over traditional bargaining issues, such as pay and pensions, but also extended to a much wider set of issues including macroeconomic management and welfare policy. This was described by one trade union official in this study as meaning everything was 'on the table' with the aim of securing a consensus on most key issues before deciding how to proceed. As indicated, this approach was quite the opposite of what was emerging as policy in the UK and is represented by several commentators as an explicit repudiation of that approach (Hastings, Sheehan and Yeates, 2007).

From several different perspectives, Ireland's Social Partnership is contentious. Within the trade union movement, some see the partnership as a period when trade unions had unparalleled influence in national policy debates, although others suggest that the close relationship with government and the employers blunted trade union independence and effectiveness (for a useful discussion of these arguments written before the economic crisis, see Donaghey and Teague, 2007). At another level, some see the social partnership as central to Ireland's period of economic growth in the 1990s and early 2000's, whereas others on the political right have sought to scapegoat the social partnership for contributing to, indeed causing, the 2007/2008 economic crisis. Whatever the reality, it is clear that the social partnership came to an abrupt end as the economic crisis took root and government unilaterally imposed pay cuts on public sector workers in 2008 and 2009 (Doherty, 2011).

The end of the social partnership marked the beginning of a period of sharp divergence between private and public sector industrial relations, with private-sector structures becoming increasingly decentralised. There has also been a growing gap between union density rates in the private and public sectors, with nearly 2/3 of public sector workers being in a union but the equivalent figure among private-sector employees being much lower (less than 20% according to ETUI, 2019).

Following the years of imposed pay cuts in 2008 and 2009, public sector industrial relations were re-established in 2010, although on a very different basis to the previous

social partnership. Government was no longer willing to discuss a broad agenda but, rather, negotiations were restricted to a narrow range of issues relating to pay and terms of employment. The agenda was almost entirely driven by the consequences of the economic crisis and the impact on public finances. The first outcome of this process was what became known as the Croke Park Agreement in which trade unions negotiated assurances on job security and pay protection in return for various cost-cutting measures and productivity initiatives. Trade unions also provided assurances to not undertake industrial action.

These were extraordinarily difficult times for Irish trade unions, illustrated by the fact that a renegotiation of the Croke Park agreement was rejected in some large unions in a ballot of members, despite being recommended by union officers. The challenges are made more complex by a feature of Irish public sector industrial relations whereby a single pay agreement is negotiated for the whole of the public sector, with teachers, health workers, civil servants and the police, for example, all receiving the same deal. It follows that acceptance of any deal requires the support of all the relevant trade unions and, in some cases, such as the renegotiated Croke Park II agreement known as Haddington Road this proved difficult to achieve (*Irish Times*, 2013).

Further agreements have also been reached, such as the Public Service Stability Agreement 2018-2020 (the 'Lansdowne Road Agreement') in which public service unions have sought to negotiate their way further through the post-crisis period. These agreements attest to the enduring influence of public sector trade unionism in Ireland, albeit in a much changed format to that which existed before the crisis.

Arguably, one feature of the post-crisis period has been a consolidation of the Irish trade union movement into a relatively small number of large unions. In the public services, the clearest manifestation of this was the formation of *Fórsa* based on an amalgamation of three unions across the public services. In the private sector, membership is concentrated in four unions with the Services, Industrial, Professional and Technical Union (SIPTU) also having significant public sector membership. Both *Fórsa* and SIPTU are members of the European Public Services Union (EPSU) alongside other unions representing higher civil servants (AHCPs), nurses and midwives (INMO) and the energy sector (ESU). The education sector has four unions, although there is relatively little competitive unionism (more than one union competing for the same members). Ireland's education unions include the Irish National Teachers' Organisation (INTO), Teachers' Union of Ireland (TUI), Association of Secondary Teachers of Ireland (ASTI) and the Irish Federation of University Teachers (IFUT). All four unions are members of the European Trade Union Committee for Education (ETUCE).

Ireland has a single trade union confederation, the Irish Congress of Trade Unions (ICTU), which represents affiliates across whole island of Ireland.

1.3 The European Semester and public services

Ireland was excluded from the European Semester until 2014, during its period in an economic adjustment programme, and entered the process for 2014-15. As a result of the economic crisis, Ireland was subject to the Excessive Deficit Procedure, when it entered the Semester and there was therefore continued substantial pressure to reduce public debt. Ireland received its first CSRs in 2014-15 with no fewer than seven CSRs (European Commission, 2014). These had a clear focus on managing public finances, with some reference to tax issues. In the first CSR of its first year, the Republic of Ireland is urged to 'broaden the tax base' and this is included in Ireland's CSRs in all subsequent years, sometimes combined with other tax related issues such as a focus on *'aggressive tax planning'*.

Public service issues feature prominently in the first CSRs received by the Republic of Ireland with healthcare, further education and childcare receiving specific mentions. The cost of Ireland's health care, and the suggestion that the system is relatively expensive without representing good value for money, is raised as an issue in a CSR in 2014-15 and reaffirmed in several subsequent years. The CSR relating to healthcare is unusual in terms of CSRs more generally as the recommendation goes beyond a general exhortation to address an issue but, rather, refers to several specific measures which include addressing high pharmaceutical costs and tackling management problems. Ireland is acknowledged as having a generally well-performing education system but transitions to the labour market are identified as problematic with a recommendation relating to further education provision and the need to ensure labour market relevance. In the first round of CSRs for Ireland, there is also a call to support increased female participation in the labour market *'by improving access to more affordable and full-time childcare, particularly for low income families'*. Access to improved childcare remains a significant and clearly stated recommendation in all subsequent years.

A number of social issues are identified in Ireland's first CSRs with particular implications for public services. These include a relatively high proportion of children at risk of poverty and also a perceived problem relating to low work intensity households (characterised by inter-generational and long-term unemployment).

In subsequent years of the Semester, several of the issues identified above emerge as recurring recommendations. Healthcare recommendations, for example, occur in all years except 2017-18 when the number of CSRs is quite low. In the early years, these continued to identify quite specific measures as part of healthcare reform, although, for 2018-19, the reference to healthcare was a generic recommendation urging Ireland to address *'cost-effectiveness'* issues in the light of shifting demographics and an ageing population. In a similar way, calls for improved access to *'quality affordable full-time childcare'* feature in some form in the recommendations for all subsequent years. In contrast, recommendations relating to education are conspicuous by their absence in the Irish context. Identified initially in the first year of CSRs, education issues do not feature again in subsequent years.

Ireland's emergence from the crisis results in a strong emphasis within the Semester on tackling 'legacy issues' from the 2008 recession with a concern about private household debt and ensuring the banking sector establishes sound practices. However, as the country begins to emerge from recession, new issues start to appear in Semester documentation. It becomes apparent that efforts to reduce the public sector deficit have had an appreciable impact on investment generally, and in key infrastructural areas in particular. For example, in recommendations relating to 2017-18, Ireland is urged to prioritise public investment in a number of key public service areas such as transport and water services (European Commission, 2017). It is also becoming increasingly clear that economic growth, combined with limited public spending in the housing market, is causing housing supply bottlenecks. By this time, property prices are increasing at rates far in excess of inflation. In addition, lack of housing supply is contributing to increased homelessness and, by 2017-18, Ireland receives a recommendation to *'enhance social infrastructure'*, including in the area of social housing.

In the publication of the Country Report in 2018 (European Commission, 2018), the European Commission describes the economic picture in Ireland as one of *'sustained strong economic growth'* with growth rates above 7% and well above the EU average. However, there is a recognition that *'years of low investment following the economic bust are taking their toll on the availability of supporting infrastructure'*, and this emerges as a major theme in Ireland's European Semester documentation. Public spending generally is identified as being closer to being balanced, although the Commission can only report *'some progress'* in relation to previous year's CSRs. For example, each year, the Republic of Ireland receives a recommendation that identifies the need to *'broaden the tax base'*, but the Country Report indicates that *'only a few of the measures taken'* have the potential to achieve this objective. The Report also points out that multinational companies continue to exploit Ireland's tax regulations to pursue *'aggressive tax planning structures'*. The Report goes on to assert:

'the absence of some anti-abuse rules or the exemption from withholding taxes on dividend payments made by companies based in Ireland suggest that Ireland's corporate tax rules may still be used in tax avoidance structures' (European Commission, 2018).

This issue is clearly important in relation to public services as it impacts significantly on public finances and the potential to be able to fund public expenditure commitments.

The Country Report also notes that, despite featuring prominently in Ireland's CSRs each year, *'it remains difficult to access, affordable quality childcare'*. The relative scarcity of affordable childcare is identified as contributing to women's relatively low participation in the labour market and the linked problem of low work intensity households. The Report does however acknowledge that take up of childcare has improved in recent years. The Report also returns to previous issues identified in relation to healthcare, specifically highlighting the problems of a *'relatively costly'* healthcare system, increasingly being exacerbated by the impact of an ageing population.

As the Irish economy emerges from the economic crisis, the Country Reports indicate a number of 'bottlenecks' appearing in the economy which may in turn contribute to overheating. Skills shortages in some sectors is identified as a problem, as is a relatively low level of digital skills more widely. Tackling the bottlenecks in water, energy and transport through infrastructural investment is identified as 'essential' to secure balanced and sustained future growth. Despite the positive picture of growth presented in the Country Report, it is acknowledged that *'many people have yet to reap the benefits of an economic upturn.'*

The Irish government's response to the Commission's Country 2018 Report echoes the Commission's assessment of a growing economy, although in the Irish government's National Reform Programme (Department of the Taoiseach, 2018) concerns over Brexit loom large. Purely in economic terms Ireland will be the country worst affected by UK withdrawal from the EU with a potential 'no deal' having the most detrimental impact on future growth. Preparing for this eventuality has a high profile in the NRP, recognising the concomitant effects on public spending.

In the introduction to the NRP the government sets out a number of priority areas including reference to *Project Ireland 2040*¹ which integrates a National Planning Framework up to 2040 with a previously published 10-year National Development Plan for investment. Within these plans the NRP provides details of its activities in key areas of public services including health, education and housing.

1.4 The European Semester, trade unions and social dialogue

In the years after the crisis, industrial relations in Ireland came under considerable pressure. Oversight of the country's public finances by the Troika inevitably associated the EU with a period when austerity measures had a major impact on public services. This may have had some impact on how Irish trade unions viewed the European Semester given its role in enforcing the EU's fiscal rules. The Commission's European Semester Officer suggested that, although there may have been some residual hostility when Ireland entered the Semester in 2014, it was his view that unions approached the Semester as a 'new chapter' and adopted a 'clean slate' approach.

However, interviews with trade union participants indicated that the participation of individual unions in any Semester processes was extremely limited. For example, education unions indicated some peripheral awareness of the process but that they had not had any serious engagement. Education unions were however involved in several other European Union initiatives with a clearer link to education policy issues.

1 <https://www.gov.ie/en/campaigns/09022006-project-ireland-2040/>

In its introduction to the 2018 National Reform Programme (Department of the Taoiseach), the Irish government asserts its full support for the Semester process and its commitment to conducting the Semester in a way that seeks to involve social partners and stakeholders:

*'Ireland strongly supports the European Semester process, and welcomes the positive innovations that have taken place, such as the advance sharing of the analytical content of the draft Country Report. Preparation of the annual *National Reform Programme* (NRP) is an important part of the European Semester process.'*

The process of NRP preparation was coordinated by the Department of the Taoiseach and involved inviting stakeholders to submit responses to the draft report. In 2018, eleven organisations submitted responses with trade union responses co-ordinated through ICTU. An ICTU official responsible for the European Semester indicated that the confederation had a pragmatic approach to the Semester. It welcomed the Semester in principle, and the opportunity to participate in the process, but there was some scepticism about securing significant results. The official stated, *'we break it for parts'*, referring to the way that old cars may be broken apart to recover useful items that can be re-used elsewhere. In this case, helpful elements might be identified in Semester documents that might be used to apply leverage with the national government. This official did claim that, in the past, trade unions had successfully lobbied the European Commission to abolish a VAT subsidy in the hospitality industry and that this, subsequently, appeared as a Country Specific Recommendation, followed in due course by the abolition of the VAT rate.

It was recognised that the confederation's link to the European Semester Officer was a helpful one and that the official in question had always sought to engage the confederation in Semester discussions.

1.5 Country performance in relation to the European Pillar of Social Rights/Social Scoreboard

In the National Reform Programme, the Irish government asserts that *'Ireland has performed relatively well on most of the indicators of the Social Scoreboard supporting the European Pillar of Social Rights'*. On most of the indicators (eight out of the twelve reported in the 2018 Joint Employment Report) Ireland's scores are rated average. This includes two areas of public services – healthcare and childcare – that have featured prominently in Semester documents including in CSRs.

The generally well-performing education system is reflected in the *'early leavers from education and training'* indicator scoring 'better than average'. In contrast, the level of digital skills, which is in part linked to the formal education system, is the lowest performing area ('to watch'). Despite CSRs in several years presenting a recommendation to address risks of child poverty (2014-15, 2015-16 and 2016-17), the 2018 Social Scoreboard

indicates that Ireland is 'better than average' in relation to poverty risk with its social transfers having a positive impact on poverty reduction.

Table 2. Ireland's performance on the 2018 Social Scoreboard
(European Commission, 2018b)

RATING	INDICATORS
Best performer	Impact of social transfers on poverty reduction
Better than average	Early leavers from education and training At risk of poverty and social exclusion
Average	Gender employment gap Income quintile ratio Youth NEET rate Employment rate Unemployment rate GDHI per capita growth Children aged less than 3 years in formal childcare Self-reported unmet need for medical care
Good but to monitor	None
Weak but improving	None
To watch	Individuals' use of digital skills
Critical situation	None

2. The 2018-2019 European Semester Cycle

2.1 The European Semester process and participation of trade unions

The 2018-2019 European Semester cycle commenced formally in September 2018 when President Juncker presented his 'State of the European Union' address to the EU Parliament (European Commission, 2018c). Much of the focus of the address was on key political questions facing the future of the European Union, although there was also a clear reaffirmation of the Commission's commitment to '*take better care of the social dimension*' and to renew the goal of a more social Europe.

In the Autumn package, published shortly after in November 2018, a generally optimistic note is struck in relation to economic growth and job creation although it is noted that growth patterns remain uneven. The 2018-2019 Annual Growth Survey indicates a number of persistent and emergent challenges exist, and these are identified as follows:

- Persistent income inequalities and levels of poverty that have proven enduring
- Weak productivity growth
- High levels of public and private debt
- Sustainability of welfare systems
- Skills mismatches and shortages
- The impact of digitisation
- Migration
- Withdrawal of Central Bank stimulus packages

These are significant and several of the factors feature prominently in the Semester documents relating specifically to the Republic of Ireland including high levels of public and private debt, sustainability of welfare systems, skills mismatches/shortages and the impact of digitisation.

In specifically Irish terms, the Semester can be considered to commence meaningfully with the fact-finding mission in October 2018 when a team of Commission officials

visit Dublin to engage with a range of stakeholders about issues relating to EU2020 objectives.

The representation from the European Commission took the form of one official from most of the Directorates and two officials from some key Directorates, such as Employment. The programme was described by a Commission official as *'two and a half days of pretty intensive meetings across the board.'* One of the earliest meetings with the full delegation from the Commission is with social partners at which both trade unions and employers were represented. Ireland's trade unions are represented at this meeting by the confederation (ICTU) and individual unions receive no separate invitation. Both the Commission official and the confederation representative described the meeting as having an open agenda with no advance notice from the Commission of specific issues:

'It's open to them [social partners] to raise issues and to identify the big issues from their perspective that they would like us to consider or address' (Commission official).

The 'open agenda' approach was confirmed by the official from ICTU who described a process whereby, prior to the meeting, senior ICTU officials would identify and agree the issues that ICTU would raise in the meeting. At the October 2018 meeting with the Commission, the ICTU official raised two issues – childcare and housing. These were highlighted because *'they're generic issues that affect everyone'* (ICTU official), and it was also recognised that a focus on a narrow range of issues was necessary in order to 'cut through' in limited time. The same official commented:

'We pick out a couple of issues that we want to leverage Commission support for. If you do more than a couple of issues whatever you say is going to get lost in the noise' (ICTU official and Trade Union Semester Liaison Officer).

The above describes the extent of the exchange in 2018. There was no follow up meeting, or exchange of papers arising from the meeting, as far as trade unions were concerned. Such exchanges, even at an informal level, were not ruled out by the Commission official; indeed, they were encouraged and ICTU was informed that the Commission's *'door is always open'*. However, there was no subsequent exchange after this meeting.

Ireland's Country Report was published on the 27th February 2019 (European Commission, 2019a). It echoes previous reports that identify a positive growth trend above the EU average. However, it highlights the dependency on a relatively small number of large multinational companies and that this not only distorts economic growth figures, but also creates vulnerabilities. The Country Report in 2019 reiterates conclusions presented in previous reports when it points out that these dependencies within the Irish economy create some insecurities in the economic situation.

As indicated previously, healthcare issues have featured prominently in Commission reports and CSRs in earlier years. In the 2019 Country Report, healthcare features prominently again, both in the Executive Summary and in the main body of the report. There are two early references to 'over-spending' on healthcare, which relate not to overall

expenditure levels, but rather to value for money and cost-effectiveness. The Report expresses concerns about the long-term sustainability of the healthcare system in its current form, and this theme is reiterated several times, including in the In Depth Review, in relation to which the following point is made:

‘The ambitious Sláintecare reform represents a credible vision for making the health system universally accessible and sustainable. However, its implementation is endangered by the difficulties in improving budget management in the health system to avoid recurrent overspends. The perverse incentives generated by the coexistence of a public and private insurance market should also be addressed to avoid preferential treatment of privately - insured patients in publicly - funded hospitals’ (European Commission, 2019a).

The above comment was identified as highly significant and ‘bold’ by one trade union official. He claimed the problems caused by what is perceived as a dysfunctional mixed economy of public and private insurers are seldom acknowledged in Ireland: *‘it’s never expressed like that – other than by us’*. He went on to observe that *‘we are not leveraging that sufficiently in the national debate.’*

Ireland’s Country Report identifies an improving employment situation, although it recognises that, as labour demand has increased, significant skills shortages have emerged in some sectors, most obviously in the area of ICT. A lack of digital skills is highlighted as a significant issue, as it has been in previous years (identified as ‘to watch’ in the previous year’s Social Scoreboard and in the same category in 2018-19). The Report also draws attention to the relatively low levels of female participation in the labour force, which it describes as a form of *‘under-used human capital’*. In this case, the low levels of female participation in the labour market continues to be linked to a failure to develop adequate policies on childcare.

Previous Country Reports and CSRs had identified serious (under)investment issues in the Irish economy, often in relation to physical and social infrastructure. In 2018-19, the Country Report argues for a *‘prioritising [of] both public and private investment’*. It welcomes the National Planning Framework and the National Development Plan but raises concerns about its implementation, identifying a number of factors that may disrupt it including inadequate oversight and co-ordination at national level.

Ireland’s Country Report suggests varied progress in relation to the previous year’s CSRs. The report identifies *‘substantial progress’* on some legacy issues in relation to the banking crisis but only *‘some progress’* on tax reforms and *‘limited progress’* on issue of health-care cost-effectiveness. The country is identified as performing ‘relatively well’ on the Social Scoreboard, but it is recognised that *‘challenges remain’*.

Of the 14 indicators reported (two more than the previous year), eight are indicated as *‘average’* with four higher performing areas, but two identified as *‘to watch’*. In the case of the income quintile ratio, Ireland’s performance had dropped three categories having previously been categorised as ‘average’.

Table 3. Ireland's performance on the 2019 Social Scoreboard
(European Commission, 2019b)

RATING	INDICATORS
Best performer	Early leavers from education and training Impact of social transfers on poverty reduction
Better than average	Youth NEET rate Net earnings of a full time single worker earning average wage
Average	Gender employment gap At risk of poverty and social exclusion Employment rate Unemployment rate Long term unemployment rate Real GDHI per capita Children aged less than 3 years in formal child care Self-reported unmet need for medical care
Good but to monitor	None
Weak but improving	None
To watch	Income quintile ratio Individuals' use of digital skills
Critical situation	None

On the 28th February, the day following publication of the Country Report, ICTU was invited by the Department of the Taoiseach (which co-ordinates the government's response) to submit its comments on the Country Report so that these could be fed into the National Reform Programme. Responses were required by 14th March. The Commission also invited ICTU to provide any comments or reactions to the Country Report.

The Commission's office in Dublin organised a significant launch event when the Country Report was published at which senior officials from Brussels and the Irish government spoke. The event was a half-day meeting on macro-economic policy and European Semester 2019 priority issues. The meeting was attended by between 50 and 60 people with most of the invitees being those who had contributed to the fact-finding meetings. Trade unions were represented by ICTU. The Commission official described the meeting as involving '*lively debate*' and indicated that all attendees were invited to submit formal responses if they wished. The official also indicated that as part of his role he sought to generate media interest in the publication of the Country Report but that this was always extremely limited. In his experience, whatever media coverage took place, if any, was focused on publication of the CSRs.

This event was followed by a further meeting (4th April) convened by the Commission with social partners (ICTU and the employers' organisation IBEC). The meet was considered to be '*not very satisfactory*' by an ICTU official. It had a delayed start due to earlier Commission commitments over-running and was not extended and so a one-hour meeting was truncated to 40 minutes. Following the meeting, ICTU provided the Commission

with its response to both the Country Report and the NRP. These were acknowledged by the Commission with an offer of a further follow-up meeting, but there were no further efforts to arrange such a meeting.

Within the Irish Parliament (*Oireachtas*), the Country Report and proposed NRP were discussed in the Joint Oireachtas Committee on European Affairs, with sectoral committees also consulted.

Ireland's National Reform Programme (Department of the Taoiseach, 2019) was published on 18th April and sets out the Irish government's response to the Country Report and presents progress it has made in relation to the previous year's CSRs. A central concern of Ireland's NRP is the impact of Brexit and the consequences for growth and public finances (all potential outcomes negatively impacting Irish economic growth, with any 'No Deal' scenario being the most serious). The report then sets out a number of areas where the Irish government is taking action in relation to issues raised in the Country Report (and EU2020 targets). In the report's introduction, the government highlights a number of public service issues where it identifies significant action including in relation to public investment (*Project Ireland 2040*), support for regional development (regional inequalities having been identified as problematic in the Country Report), housing and health.

In the main body of the Country Report, the government sets out its initiatives in these areas in more detail, as well as discussing other issues related to wider EU2020 objectives, including discussion of policies related to education and early childhood education and care. As is typical with NRPs (as a statement of government policy presented by the government), the report provides a positive assessment of government activity and provides an optimistic analysis of the plans adopted and the investment that supports them. For example, in relation to healthcare, the government outlines a number of investment commitments and describes these as '*the highest level of investment in the history of the State*'. The report makes a strong commitment to social housing as a response to the complex housing problems faced in Ireland (from homelessness to high levels of house price inflation) and asserts that '*increased provision of social housing is intrinsically linked with addressing homelessness*'.

The report describes several initiatives in the field of education, with many focussed on tackling outcome inequalities. The Irish government is committed to making the Irish education system the highest performing in Europe by 2026. An extended section of the report (pp. 47-52) also sets out a number of initiatives in relation to early childhood education and care which is an area that has repeatedly been identified as problematic in previous years' Semester reports.

The NRP identifies a number of investment initiatives focused on transport and utilities (as identified in previous Country Reports) and also describes the government's proposed consultation on pensions reform.

The National Reform Programme for Ireland sets out the stakeholder engagement that took place in the development of the Report. Discussion about the Country Report took place

in several parliamentary committees, with a view to informing the content of the NRP. The Committee of European Affairs is key and the NRP reports that it was frustrated by a lack of time to adequately debate Semester issues. Sectoral committees were also consulted, and several were reported to have made submissions. The Joint Committee on Housing, Planning and Local Government asserted that *'housing and homelessness is the most significant challenge facing the state'*, while the committee focused on education expressed a desire for some Semester discussions to be organised as public hearings in future years.

The NRP indicates that 13 stakeholder organisations submitted responses to the request for input, two more than in the previous year. As with the relevant parliamentary committee, several stakeholder groups commented on the inadequate time allowed for consultation. The government's response pointed to the dictates of the European Semester timescales but commented that *'reflecting stakeholders concerns, an enhanced opportunity to input will be introduced in advance of the finalisation of next year's NRP'*. The government also claimed that engagement at *'department and sectoral level is encouraged'* and that:

'The Government regularly consults with relevant stakeholders across a range of policy areas through standing formal groups and through open public submissions as part of the development of specific policies.'

In 2018-19, the National Reform Programme was discussed at the Labour Employer Economic Forum (LEEF) which is a body established in 2016 to discuss broad questions of economic and social policy. The body meets quarterly and is chaired by senior ministers and, on occasions, the Taoiseach. It is attended by senior officials from ICTU and some affiliates. Brexit is a regular agenda item and, in the Spring of 2019, the NRP was also an agenda item. However, it was the view of one ICTU official that the LEEF meetings did not represent serious engagement on the Semester between government and social partners:

'aside from tangential discussions at LEEF... I'm not aware of any direct discussions with Department officials specifically on the European Semester process' (authors' own emphases).

ICTU was responsible for submitting a formal response to the NRP on behalf of the trade unions, which was produced under considerable pressure of time. The initial request for a submission was received on the 3rd April and ICTU provided its submission by the 8th April (the final NRP was published on 18th). In its submission, ICTU pointed out that *'this timetable does not allow us to give a comprehensive response to all the issues discussed in the country report'*.

ICTU's submission² opened by drawing attention to comments in the Country Report about weak systems of social dialogue including the statement that *'social partners are*

2 Available online at <https://assets.gov.ie/8129/e364ef415e5e4a739d4dcb877c789873.pdf>

rarely involved and consulted regarding the European Semester process by government. The submission highlights Commission and OECD arguments that social dialogue is conducive to more effective labour market performance and urges the government to work with trade unions to address this deficit. The submission also highlighted government inaction on widening the tax base and called for more ambitious action in the following areas.

- Social housing
- Early childhood education and care
- Income inequality and precarious employment
(noting Ireland's poor performance on income equality in the social scoreboard)
- Health
- Education and lifelong learning
- Global warming

At this stage of the Semester cycle social partner input is almost entirely co-ordinated by the confederation. One confederation official commented that this was the function of Congress and that *'Congress is there on behalf of the unions'*. It was pointed out that, where there were clearly issues pertaining to the interests of a particular union, then it was the role of the confederation to alert the relevant union. Otherwise, the function of the confederation was to undertake this engagement on behalf of affiliates. A lack of time meant that ICTU was only able to circulate its submissions to affiliates rather than being able to engage them more fully.

Throughout the 2018-19 Semester cycle in Ireland, there was no appreciable input by sectoral unions with all the major unions represented in this project indicating that they had not formally engaged with the process. One union was an exception based on the personal intervention of an individual senior official at around the time the National Reform Programme was being finalised. This involved direct approaches to both ICTU and the Office of the Taoiseach for further information. The individual concerned made the following observation:

'With hindsight it was too late. You need to have your arguments ready. I'm learning...for next year.'

The European Commission's Country Specific Recommendations were published for Ireland on the 5th June 2019 (European Commission, 2019c) and later adopted unamended on the 2nd July (see Appendix 1). In the report 'recitals' (the important preamble to the actual recommendations), attention is drawn to Ireland's status in the preventive arm of the Stability and Growth Pact and the macroeconomic imbalances it experiences. Given Ireland is a Eurozone country, there is a clear exhortation to *'ensure the full and timely implementation of the Recommendation for the euro area'*, namely CSRs (1 and 3).

Ireland's first CSR also focuses on healthcare and pensions issues which are issues that have featured prominently in 2018-19 Semester documentation. Ireland is urged to address cost-effectiveness issues in healthcare and implement fully proposed pension reforms.

Other CSRs have a strong public services focus including a recommendation to support skills development and improved childcare. Skills development should focus on those in the labour market who are particularly disadvantaged in Ireland, namely, the disabled and long-term unemployed. As with all other countries in the 2018-19 Semester, Ireland receives a recommendation relating to *'investment related economic policy'* with several different public services identified as in need of investment including transport, water and digital infrastructure. One of the areas specifically mentioned for investment is social housing and Ireland is one of only two countries to receive a CSR with a specific reference to social housing.

On the 11th June, the European Commission co-organised (with the International Institute of European Affairs) a conference related to the recently published draft CSRs. The event was attended by 120-130 people and was addressed by Regina Doherty T.D., Minister for Employment Affairs and Social Protection, and Carlos Martínez Mongay, Deputy Director-General of DG Economic and Financial Affairs in the European Commission. A panel discussion followed, featuring Laura Bambrick, Social Policy Officer at the Irish Congress of Trade Unions and Martina Lawless, Associate Research Professor at the Economic and Social Research Institute. A video record of the event is available online through the IIEA website). At the same time, trade unions, through ICTU, were invited to submit a response to the draft CSRs and, in the very short time available, were able to submit a brief response to the Commission's recommendations (draft CSRs published on 5th June, with a request for a response by 10th June). ICTU's response once again drew attention to the *'very short time requested timetable'* and therefore focused on a small number of priority issues. ICTU's response drew attention to a lack of progress in improving social dialogue arrangements (including in relation to the Semester) and urged further Commission action in this area. The response also raised issues of precarious employment and low pay, income inequality (highlighted by the Social Scoreboard as *'to watch'*), early childhood education and care and housing.

ICTU's submission ended with an offer to discuss these issues further with the Commission and, indeed, the acknowledgement of receipt suggested that the Commission would facilitate a further meeting. However, no such meeting took place and therefore, at this point, social partner involvement in the 2018-19 Semester cycle was ended.

2.2 Facilitating effective trade union interventions – what helped and hindered?

Social dialogue in Ireland has suffered badly as a consequence of the economic crisis. Dominant narratives have *'blamed'* the model of social partnership that existed before

the crisis for the crisis itself and, as a consequence, the arrangements that existed before 2008 have been largely dismantled. In the view of several trade union interviewees, this perception of social partnership continues to have traction among influential sections of society (politicians, media) and may explain why new social dialogue structures have been slow to emerge. Within the post-2008 structures, social dialogue within the public services and public sector remains much stronger than in the private sector. As has been indicated, the Commission itself recognises that, within the Semester, social partners are *'rarely involved and consulted'* by government, with one trade union interviewee describing it as a *'minimalist approach to consultation'* while also recognising that despite the low level of exchange *'we struggle to respond to that'*.

Factors that emerged from within the research that contributed to supporting this process, or undermining it, are identified below. In presenting these discrete points, it is important to highlight their interdependent nature, with each of the factors identified below being inextricably linked to the others.

2.2.1. Timeliness of processes

This is an issue that has been raised in many previous studies concerned with the European Semester and emerges strongly in this case study. The concern is not only raised by social partners (in interview evidence), but by trade unions, civil society organisations and parliamentarians in their formal responses to the consultation. The European Semester process is necessarily rapid and condensed with the fact-finding meetings taking place in October and CSRs published in late May (early June in 2019 due to European Parliament elections). This involves very limited time to either plan for events, or to respond to consultations. Examples provided in this study involved responses requested within a week.

The rapid response requests present trade unions with challenges as preparing such responses is difficult in the time available. However, this also militates against widening participation and engagement. One interviewee described the meeting cycle of relevant committees for the trade union confederation and argued that it was simply not possible to meet Commission and government requests for consultation responses and to have time to adequately circulate and discuss the confederation's draft response among affiliates. For example, requests for responses often required replies within 2-3 weeks or, sometimes, days. Even with monthly meeting cycles, this was likely to make meaningful discussion impossible. This necessarily restricted discussions to only a relatively small number of individuals.

2.2.2. Availability of resources for trade unions

Within the Republic of Ireland, trade union engagement with the European Semester is co-ordinated through the auspices of the confederation. It is the confederation that attends Semester events in order to represent the trade union movement and all

responses to consultations are submitted by the confederation. One confederation official was very clear that the function of ICTU was to undertake this work on behalf of affiliates so that they would not have to engage with it: *'that's what they pay their affiliation fees for – they know that certain things will be taken care of by Congress'*. According to this approach, the function of Congress is to manage trade union engagement with the Semester on behalf of affiliates, while alerting individual members to any problematic issues that may impact them. However, it is important to recognise that, within the confederation, the resources available to engage with this work are limited. The work is undertaken mainly by the official responsible for international issues, who also has many other responsibilities.

At least one major public service union in the study indicated an interest in engaging much more with the Semester, recognising that the Semester had significant implications for public services where the union's membership was employed. However, it was recognised that the union's current structures did not readily provide the necessary resource for such work to take place. The union is newly amalgamated, and officials recognised that in the new organisation some restructuring of responsibilities might allow for more meaningful engagement in the future, but this would inevitably involve re-assessing priorities among many other competing demands.

'We're not [currently] geared up – it would be a big project for us to move it beyond a box ticking exercise – to actively use it as a way of shaping policy. But for us that would be a major gear up – and for Congress' (Union official responsible for local government sector).

2.2.3. Relevance and prioritisation

Given the resource issues identified above, trade unions are immediately confronted by a critical question – *can participation in the Semester process make a positive difference to the issues that impact members?* Addressing this question involves making a judgement about the trade-off between resources invested and potential impact. Of course, as with all such political processes (collective bargaining, political negotiations), there can be no certainty about outcomes and hence any response to the above question is a matter of speculation and political judgement.

In this study, trade union perceptions of the potential benefits of engagement often appeared limited. Education unions, for example, reported almost no involvement in the European Semester and, in 2018-19, could not identify any engagement in the process. This is partly explained by the limited profile of general education issues in the Irish experience of the Semester (vocational education issues aside). In this case study, education unions demonstrated very different levels of engagement with European Union agendas, but even where engagement was higher, it was not through the Semester but rather through other mechanisms (for example participation in specific European wide policy initiatives or through engagement with the EU's 'Education and Training Monitor'). Education unions also reported generally positive relations with the national

government, particularly at the level of individual relationships with civil servants. The view was expressed clearly that in order to bring about positive change unions resources were best devoted to engaging with national government through existing channels. The Semester was not judged as sufficiently 'high stakes' to warrant input beyond what was managed by the confederation.

The confederation's approach might be described as similarly pragmatic, focused on seeking to use Commission comments, where appropriate and where possible, to leverage pressure on the national government. One confederation official expressed some pessimism about being able to influence the Commission's findings, but indicated that maximum value was to be gained from identifying which elements of the Commission reports could be used to apply pressure domestically *'it is useful to be able to say to government "this is something the Commission is pressing for"'*.

In general, within this case study, the perception was that participation in the European Semester added only modest value to trade union work. The focus on a social dimension was welcomed, as was the introduction of the European Pillar of Social Rights, but in neither case were these seen as 'game changing', with consequent implications for how trade unions prioritised their work and limited resources.

The above is not a comment on actual or potential value added, and it is important to recognise that views differ between actors, and actors' views can change over time, but rather it is to suggest that generally low levels of trade union engagement are in part based on a cost-benefit calculation in which benefits are not seen to exceed the costs of substantial involvement.

2.2.4. Meaningful dialogue

Several of the factors identified above combine together to create low expectations about the process and hence lower levels of engagement. These experiences and perceptions were then compounded by a view that discussions themselves are not meaningful. At several stages in the process, there are exchanges with social partners, but often these are seen as a communication of decisions that have been made elsewhere, rather than genuine exchanges of ideas. In those cases where consultations took place, it is difficult to see how any contributions to the consultations may have been reflected in subsequent stages of the process. It may be that issues that have been raised are taken on board, but there is no transparent way of identifying whether and where this is the case.

In the NRP, the Irish government does provide details of all the stakeholder engagement that took place in developing the NRP, and it goes so far as to provide a summary of all the individual responses submitted (contained within the NRP's appendices). The NRP describes how these submissions were circulated to relevant government departments as they drafted the NRP and that these may inform future policy development - *'views*

have been circulated to relevant Departments for their consideration in the context of future policy development.'

For trade unions engaging in this process, these outcomes can seem nebulous and contribute to a feeling that participation in consultations can seem meaningless and, at best, 'minimalist'.

Within the study, a number of civil society organisations were held up as examples of good practice in relation to Semester intervention. Features of these interventions were identified as the clarity of proposals, the adoption of a strong evidence-informed approach supported by extensive data and, in some cases, the presentation of costings alongside proposals. One of the organisations highlighted was Social Justice Ireland, which describes itself as an 'independent think tank and justice advocacy organisation'. One of SJI's affiliates is the large general union SIPTU.

All of the above factors combine together to create a climate in which social dialogue is limited and where trade union commitment reflects this. For trade unions, the process can appear as one that affords limited scope for meaningful engagement, and with limited possibilities to make an impact. In a context where resources are limited and difficult decisions need to be made about resource allocation, it is easy to see why organisations might adopt a 'minimum engagement' approach to participation. In this scenario, responses to consultations are provided when requested, and outcomes may be used when advantageous to do so, but there is little commitment beyond that. The danger is that the process becomes quite technical and involving only a very limited number of policy actors. In the absence of media interest, it can be difficult to use the Semester to secure leverage on key issues.

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Appendix A: Ireland Country Specific Recommendations 2019

1. Achieve the medium-term budgetary objective in 2020. Use windfall gains to accelerate the reduction of the general government debt ratio. Limit the scope and number of tax expenditures, and broaden the tax base. Continue to address features of the tax system that may facilitate aggressive tax planning, and focus in particular on outbound payments. Address the expected increase in age-related expenditure by making the healthcare system more cost-effective and by fully implementing pension reform plans.
2. Provide personalised active integration support and facilitate upskilling, in particular for vulnerable groups and people living in households with low work intensity. Increase access to affordable and quality childcare.
3. Focus investment-related economic policy on low carbon and energy transition, the reduction of greenhouse gas emissions, sustainable transport, water, digital infrastructure and affordable and social housing, taking into account regional disparities. Implement measures, including those in the Future Jobs strategy, to diversify the economy and improve the productivity of Irish firms – small and medium enterprises in particular - by using more direct funding instruments to stimulate research and innovation and by reducing regulatory barriers to entrepreneurship.

Appendix B: Timeline of social dialogue interventions

DATE	EVENT	DETAILS
October	Fact finding meeting	Meeting between ICTU, IBEC and the relevant DGs There was no formal submission of papers by ICTU after this meeting
February	Country Report published	Report published on 27th February with immediate request from government to stakeholders to submit responses
March	ICTU response to the Country Report	ICTU provides government with response to the Country Report (18th March)
	ICTU circulates its response to affiliates	Main parliamentary committee discusses Country Report and NRP – sectoral committees invited to participate
	Joint Oireachtas Committee on European Affairs	Dublin office of the Commission organises a half day conference for stakeholders to discuss the Country Report. ICTU represents trade unions.
	Commission conference	
April	Commission meeting with social partners	A further meeting is organised with social partners (4th April)
	ICTU invited to respond draft NRP	Request to respond to draft NRP received 3rd April – ICTU responds by 8th April. The NRP is published on 18th April.
	Meeting of the Labour Employers Economic Forum	High level quarterly meeting for government and social partners. NRP discussed in the Spring meeting.
	ICTU Executive meeting	Meeting discusses the Semester and how to further trade union involvement
June	Draft Country Specific Recommendations published	Draft CSRs were published on 5th June and ICTU provided a response by the requested date (10th June)
	Commission co-convenes a conference to discuss the CSRs	A large conference event held on 11th June, with ICTU represented as a panel speaker. The conference video is available online.
November	Fact finding meeting 2020	ICTU raises concerns with Commission officials about inadequate opportunity for consultation in previous years' Semester processes

Appendix C: Interview participants

Interviews were conducted face to face. In most cases participants were interviewed twice, with fieldwork visits in October 2018 and May 2019.

POSITION	ORGANISATION
Trade Union Semester Liaison Officer	Irish Congress of Trade Unions
Senior official	Irish Congress of Trade Unions
European Semester Officer	European Commission
Government Ministry Official	
Senior Official	Fórsa
Senior Official	Fórsa
Senior Official	Services, Industrial, Professional and Technical Union
Senior Official	Teachers' Union of Ireland
Senior Official	Association of Secondary Teachers in Ireland
Senior Official	Association of Secondary Teachers in Ireland

