

IRELAND 2018 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Ireland is a multiparty parliamentary democracy with an executive branch headed by a prime minister, a bicameral parliament, and a directly elected president. The country held free and fair parliamentary elections in 2016 and a presidential election in 2018.

Civilian authorities maintained effective control over the security forces.

There were no reports of egregious human rights abuses.

The government took steps to prosecute officials who committed human rights abuses, including in the security services and elsewhere in the government.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and there were no reports government officials employed them.

In a report on September 14, the Irish Council for Civil Liberties criticized the police's approach to public order policing, the use of force, the detention of suspects, and investigation of hate crimes, as well as its dealings with Roma and Travellers.

Prison and Detention Center Conditions

The majority of prisons met international standards, but some failed to meet prisoners' basic hygiene needs.

Physical Conditions: As of October 10, prisons overall had fewer inmates than the official capacity of the system, although five facilities exceeded capacity. In 2017 the UN Committee on the Elimination of Discrimination against Women (CEDAW) alleged that women were subject to overcrowding in detention.

At times authorities held detainees awaiting trial and detained immigrants in the same facilities as convicts.

In 2017, the latest year available, nine prisoners were on 22/23-hour restricted regime.

Human rights groups, as well as the Mental Health Commission, continued to criticize understaffing and poor working conditions at the Central Mental Health Hospital in Dundrum, the country's only secure mental health facility.

Administration: The Office of the Inspector of Prisons, an independent statutory body, has oversight of the complaints system. Prisoners can submit complaints about their treatment to the prison service.

Independent Monitoring: The Office of the Inspector of Prisons conducted multiple inspections and independent reviews of detention facilities and methods. Nongovernmental organizations (NGOs), including the Irish Penal Reform Trust, reported that the inspector of prisons was effective.

The government permitted visits and monitoring by independent human rights observers and maintained an open invitation for visits from UN special rapporteurs.

Improvements: In July the Irish Prison Service reported that 58 prisoners (of a total prison population of 3,967) in two prisons were subject to the practice of "slopping out," under which prisoners must use chamber pots due to a lack of sanitary facilities.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, and the government generally observed these requirements.

Role of the Police and Security Apparatus

An Garda Siochana (or Garda) is the national police force. It maintains internal security under the auspices of the Department of Justice and Equality. The defense forces are responsible for external security under the supervision of the Department of Defense but are also authorized to perform certain domestic security responsibilities in support of the Garda.

Civilian authorities maintained effective control over the Garda and the defense forces. Controversies related to the oversight of police continued during the year. The law allows police officers to make allegations of wrongdoing within the police service to the Garda Siochana Ombudsman Commission (GSOC) on a confidential basis. By law the Garda ombudsman is responsible for conducting independent investigations, following referrals from the Garda, in circumstances in which police conduct might have resulted in death or serious harm to a person. In 2017 the ombudsman received 24 referrals, seven of which involved fatalities. Sixteen files were referred to the Office of the Director of Public Prosecutions, resulting in 10 directions for prosecution, five directions for no prosecution, and one pending decision.

In 2017 the GSOC received 1,949 complaints from the public. The most common complaints involved investigations, road policing, arrests, customer service, and searches. The largest number of allegations against police related to abuse of authority or neglect of duty.

When the GSOC directly investigates or supervises investigations involving disciplinary breaches, it may recommend disciplinary proceedings to the Garda commissioner. In 2017 the GSOC opened 71 investigations in which it directly investigated the alleged disciplinary offense, while the Garda authorities undertook 154 supervised and 557 unsupervised disciplinary investigations on behalf of the GSOC. In 2017 there were 66 identified breaches of the Discipline Regulations by a Garda member. Garda authorities applied sanctions appropriate to these disciplinary violations.

Arrest Procedures and Treatment of Detainees

An arrest typically requires a warrant issued by a judge, except in situations necessitating immediate action for the protection of the public. The law provides the right to a prompt judicial determination of the legality of a detention, and authorities respected this right. Authorities must inform detainees promptly of the charges against them and, with few exceptions, may not hold them longer than 24 hours without charge. For crimes involving firearms, explosives, or membership in an unlawful organization, a judge may extend detention for an additional 24 hours upon a police superintendent's request. The law permits detention without charge for up to seven days in cases involving suspicion of drug trafficking, although police must obtain a judge's approval to hold such a suspect longer than 48 hours. The law requires authorities to bring a detainee before a district court judge "as soon as possible" to determine bail status pending a hearing. A court may refuse bail to a person charged with a crime carrying a penalty of five years' imprisonment or longer, or when a judge deems continued detention necessary to prevent the commission of another offense.

The law permits detainees, upon arrest, to have access to attorneys. The court appoints an attorney if a detainee does not have one. The law allows detainees prompt access to family members.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence and impartiality.

Trial Procedures

The law provides for the right to a fair and public trial, and an independent judiciary generally enforced this right.

Defendants enjoy the right to the presumption of innocence; to be informed promptly and in detail of the charges against them; to be granted a fair, timely, and public trial except in certain cases; and to be present at their trial. Defendants have the right to an attorney of their choice or one provided at public expense. Defendants have the right to adequate time and facilities to prepare a defense and free assistance of an interpreter. They can confront witnesses and present their own testimony and evidence. They have the right not to be compelled to testify or confess guilt. There is a right to appeal.

The law provides for a nonjury Special Criminal Court (SCC) when the director of public prosecutions certifies a case, such as terrorist or criminal-gang offenses, to be beyond the capabilities of an ordinary court. A panel of three judges, usually including one High Court judge, one circuit judge, and one district judge, hears such cases. They reach their verdicts by majority vote. The Irish Council for Civil Liberties, Amnesty International, and the UN Human Rights Council expressed concern the SCC used a lower standard for evidence admissibility and that there was no appeal against a prosecuting authority's decision to send a case to the SCC. A second SCC with seven judges also tries terrorist and gang-related offenses. In 2017 the SCCs resolved 50 of the 54 new cases they received. Most of the cases involved membership in an illegal organization or possession of firearms or explosives.

In June several provisions from the Criminal Law (Sexual Offenses) Act 2017 related to the cross-examination of witnesses and from the Criminal Justice (Victims of Crime) Act 2017 extending the use of recorded video evidence to protect victims giving evidence came into force.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

An independent and impartial judicial system hears civil cases and appeals on civil matters, including damage claims resulting from human rights violations. Complainants may bring such claims before all appropriate courts, including the Supreme Court. Individuals may lodge a complaint or application with the European Court of Human Rights for alleged violations of the European Convention on Human Rights by the state if they have exhausted all available legal remedies in the national legal system.

Property Restitution

The country associated itself with the 2009 Terezin Declaration on Holocaust Era Assets and Related Issues. No immovable property was confiscated from Jews or other targeted groups in the country during World War II, either by the government or Nazi Germany. According to the country's delegation to the International Holocaust Remembrance Alliance, the country experienced only one case in which allegations concerning provenance were made and therefore did not enact formal

implementation mechanisms in this regard. The government's policy is to monitor these issues as they may evolve in the future and to proceed on a case-by-case basis.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits such actions, and there were no reports that the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The law provides for freedom of expression, including for the press, and the government generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for the press.

Freedom of Expression: The law prohibits words or behaviors likely to generate hatred against persons because of their race, nationality, religion, national origins, or sexual orientation. The law prohibits blasphemy, defined as publishing or uttering “matter that is grossly abusive or insulting in relation to matters held sacred by any religion, thereby causing outrage among a substantial number of the adherents of that religion.” The law permits defendants to argue “genuine literary, artistic, political, scientific, or academic value” as a defense.

Press and Media Freedom: Independent media were active and expressed a wide variety of views. The same prohibitions against language likely to generate hatred and blasphemy that affected freedom of expression also applied to the press. The government can prohibit the state-owned radio and television network from broadcasting any material “likely to promote or incite to crime or which would tend to undermine the authority of the state.” Authorities did not invoke these prohibitions during the year.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no reports that the government monitored private online communications without appropriate legal authority. Consistent with an EU

directive, the government requires telecommunication companies to retain information on all telephone and internet contacts (not content) for two years. According to the International Telecommunication Union, 85 percent of the population used the internet during 2017.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The constitution provides for the freedoms of peaceful assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR), the International Organization for Migration, and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

Protection of Refugees

Access to Asylum: The law provides for the granting of refugee or subsidiary protection status, and the government has established a system for providing protection to refugees. Asylum seekers whose initial applications are rejected can appeal the decision. Asylum seekers have access to legal advice.

NGOs and the UN Human Rights Committee expressed concern over the length and complexity of the application and appeal processes. In 2017 the average length of stay in “direct provision,” a system that includes housing, meals, a weekly cash allowance, and access to health care for asylum seekers, was 23 months.

Safe Country of Origin/Transit: The country generally follows the EU's Dublin III Regulation, which permits the return of asylum applicants to the EU member state of original entry for adjudication of asylum claims. In 2015 the government agreed to participate in an EU decision to distribute asylum seekers to various countries from Greece and Italy within the EU without regard to the Dublin III provisions.

Employment: In July the EU's recast Reception Conditions Directive was transposed into domestic law. The directive allows access to the labor market for a broader range of persons seeking international protection than those receiving "direct provision" and removed previous limitations to employment, such as salary restrictions and ineligible sectors for employment.

Access to Basic Services: The country employs a system called "direct provision" that includes housing, meals, a weekly cash allowance, and access to health care for asylum seekers. Children have access to education. As of December 2017, 72 percent of asylum seekers remained in the government-run support system for less than three years, compared with 71 percent in December 2016 and 36 percent in December 2015. NGOs, including the Irish Refugee Council as well as the national ombudsman, and the UN Human Rights Committee expressed concern about the effects of the direct provision system, specifically noting that the prolonged accommodation of asylum seekers (an average of five years and more than seven years for 20 percent of residents) had detrimental effects.

Durable Solutions: The government operated a resettlement program to accommodate up to 200 persons referred by UNHCR or identified through selection missions to UNHCR refugee operations. Under the Irish Refugee Protection Program, the government committed to accepting 4,000 refugees, including 2,622 via the EU relocation program, although it only relocated 1,022 of the latter number since 2016. The government provides a post-arrival cultural orientation program and civic and language courses.

Temporary Protection: The government also provided temporary protection (subsidiary protection) to individuals who may not qualify as refugees and, according to Eurostat, granted such protection to 50 persons in 2017. In the same year, it also granted humanitarian protection to 70 other persons. Such individuals were entitled to temporary residence permits, travel documents, access to employment, health care, and housing. The government did not make determinations on subsidiary protection status at the same time as determining

asylum status. This caused delays, as a separate determination on subsidiary protection could take from several months to more than a year to complete.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: OSCE observers reported that the presidential elections on October 26 and the 2016 parliamentary elections were free and fair.

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they did participate.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented the laws effectively. Officials sometimes engaged in corrupt practices with impunity.

In June the government enacted the Criminal Justice (Corruption Offenses) Act 2018. This act brought the country's anticorruption legislation into line with the best international standards. It criminalizes direct and indirect corruption in both the public and private sectors and significantly increases the penalties for corruption offenses.

Corruption: There were isolated reports of low-level government corruption during the year.

Financial Disclosure: Elected and appointed officials, as well as civil servants at the higher grades, are required to furnish a statement, in writing, to the Standards in Public Office Commission of their financial interests and the interests of their spouse, civil partner, and child that could materially influence the person in the performance of official functions. The commission verifies the disclosures. The commission made public the financial disclosures of elected officials. There are criminal and administrative sanctions for noncompliance.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A number of domestic and international human rights groups operated without government restriction, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to their views.

Government Human Rights Bodies: The law obliges public bodies to take account of human rights and equality in the course of their work. The Irish Human Rights and Equality Commission (IHREC), an independent government organization, monitored adherence of public bodies to legal obligations. The IHREC was active throughout the year, holding consultations, training sessions, briefings, and policy reviews on a number of human rights issues.

There is also a human rights subcommittee of the parliamentary Committee on Justice, Defense, and Equality. It examines how issues, themes, and proposals before parliament take into account human rights concerns.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, and the government enforced the law. Most persons convicted received prison sentences of five to 12 years. The law criminalizes domestic violence. It authorizes prosecution of a violent family member and provides victims with “safety orders,” which prohibit the offender from engaging in violent actions or threats, and “barring orders” (restraining orders), which prohibit an offender from entering the family home for up to three years. Anyone found guilty of violating a barring or an interim protection order may receive a fine of up to 4,000 euros (\$4,600), a prison sentence of 12 months, or both. In May the government signed the Domestic Violence Act 2018 into law. This act removed barriers and offers increased victim protection. The new law includes the extension of protection and safety orders to couples who do not live together, guidelines for granting protective orders, and the introduction of coercive control as a new crime.

Sexual Harassment: The law obliges employers to prevent sexual harassment and prohibits employers from dismissing an employee for making a complaint of sexual harassment. Authorities effectively enforced the law when companies reported sexual harassment. The penalties can include an order requiring equal

treatment in the future, as well as compensation for the victim up to a maximum of two years' pay or 40,000 euros (\$46,000), whichever is greater. The law prohibits sexual harassment not only in employment but also in the supply of, and access to, goods and services.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides women the same legal status and rights as men. Inequalities in pay and promotions persisted in both the public and private sectors. The government enforced the law effectively. In 2017 CEDAW noted a persistence of “discriminatory stereotypes concerning the roles and responsibilities of women and men in the family and in society.” It also observed a low level of participation of Traveller, Roma, and migrant women in political and public life.

Children

Birth Registration: A person born after 2004 on the island of Ireland (including Northern Ireland) is automatically a citizen if at least one parent was an Irish citizen, a British citizen, a resident of either Ireland or Northern Ireland entitled to reside in either without time limit, or a legal resident of Ireland or Northern Ireland for three of the four years preceding the child's birth (excluding time spent as a student or an asylum seeker). Authorities register births immediately.

Child Abuse: The law criminalizes physical and psychological abuse and engaging in, or attempting to engage in, a sexual act with a child younger than age 17. The maximum sentence in such cases is five years in prison, which can increase to 10 years if the accused is a person in authority, such as a parent or teacher. The law additionally prohibits any person from engaging in, or attempting to engage in, a sexual act with a juvenile younger than age 15; the maximum sentence is life imprisonment. Tusla, the government's Child and Family Agency, provided child protection, early intervention, and family support services. The government also provided funding to NGOs that carried out information campaigns against child abuse as well as those who provided support services to victims.

Early and Forced Marriage: The legal minimum age for marriage is 18 years, including for citizens who marry abroad. The Domestic Violence Act 2018 passed in May repealed provisions that enabled persons younger than 18 to marry and criminalized forced marriage.

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation of children and child pornography, and authorities enforced the law. Conviction of trafficking of children and taking a child from home for sexual exploitation carries a maximum penalty of life imprisonment. A person convicted of meeting a child for the purpose of sexual exploitation faces a maximum penalty of 14 years' imprisonment. The Criminal Law (Sexual Offenses) Act enacted in February set a maximum fine of 5,000 euros (\$5,750). The minimum age for consensual sex is 17.

The law provides for a fine of up to 31,000 euros (\$35,700), a prison sentence of up to 14 years, or both for a person convicted of allowing a child to be used for pornography. For producing, distributing, printing, or publishing child pornography, the maximum penalty is 5,000 euros (\$5,750), 12 months' imprisonment, or both.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>.

Anti-Semitism

According to the 2016 census, the Jewish community numbered 2,557 persons. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. The government effectively enforced these provisions and implemented laws and programs to give persons with disabilities access to buildings, information, and communications. In 2017 the government developed a National Disability Inclusion Strategy for 2017-21.

National/Racial/Ethnic Minorities

Societal discrimination and violence against immigrants and racial and ethnic minorities remained a problem. The country's African population and Muslim community in particular experienced racially motivated physical violence, intimidation, graffiti, and verbal slurs. According to the European Network Against Racism, the number of reported racist incidents rose by 33 percent (to 330) in the first six months of 2017.

The law obliges local officials to develop suitable accommodation sites for Travellers and to solicit input from the Travellers. According to IHREC, Travellers were 22 times more likely than other respondents to report discrimination in access to housing. In May the Workplace Relations Commission (WRC), an independent agency within the Department of Business, Enterprise, and Innovation, ordered a local authority to pay compensation to a Traveller family for discrimination in a housing claim and directed the council that denied their application to review its policy on social housing assessment regulations.

In 2016 the Council of Europe's Committee of Social Rights determined that the country's law and practice violated the human rights of Travellers on the following grounds: inadequate conditions at many Traveller sites, insufficient provision of accommodation for Travellers, inadequate legal safeguards for Travellers threatened with eviction, and evictions carried out without necessary safeguards. The government took no known action to redress these problems.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The law prohibits discrimination based on sexual orientation in employment, goods, services, and education. The law does not include gender identity as an explicit category, but the courts interpreted it as prohibiting discrimination against transgender persons.

Civil liberties and civil society organizations reported the law does not include specific provisions on hate crimes or bias-motivated violence, and does not consider prejudice as an aggravating factor when sentencing criminals. In 2017 CEDAW alleged, "Medically irreversible and unnecessary sex assignment surgery and other treatments are reportedly performed on intersex children."

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The constitution provides for the rights of workers to form and join independent unions, bargain collectively, and conduct legal strikes, and the government respected these rights. The law prohibits antiunion discrimination and provides for reinstatement of workers fired for union activity. The law provides for a mechanism for the registration of employment agreements between employers and trade unions governing wages and employment conditions.

Police and military personnel may form associations (technically not unions) to represent them in matters of pay, working conditions, and general welfare. The law does not require employers to engage in collective bargaining. The law provides for the right to strike, except for police and military personnel, in both the public and private sectors. Labor unions have the right to pursue collective bargaining and in most instances did so freely, with employers' cooperation in most cases. While workers are constitutionally protected in forming trade unions, employers are not legally obliged to recognize unions or to negotiate with them. The government facilitates freedom of association and trade union activity through the Labor Relations Commission, which promotes the development and improvement of industrial relations policies, procedures, and practices, and the Labor Court, which provides resolution of industrial relations disputes.

There were no reports of violations of the law protecting the right to freedom of association. The country allocated adequate resources to the government to provide oversight of labor relations. The Labor Court is a court of last resort for trade unions and employers and sought to process cases with a minimum of delay. Workers freely exercised their labor rights. Unions conducted their activities without government interference. There were no reports of antiunion discrimination. Labor leaders did not report any threats or violence from employers.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. The government generally enforced the law.

The Workplace Relations Commission (WRC) monitors compliance with employment rights, inspects workplaces, and has authority to prosecute alleged violations of employment rights.

The law considers forced labor to be human trafficking. The penalty for human trafficking is up to life imprisonment and an unlimited fine. These penalties may be sufficient to deter violations; the government has not convicted a human trafficker in the last five years. NGOs, including the Migrant Rights Center of Ireland (MRCI) and the Immigrant Council of Ireland (ICI), alleged that employers subjected men and women to forced labor in construction, restaurant work, waste management, commercial fishing, car washes, and agriculture, as well as in private homes as domestic servants. Vietnamese and Chinese men prosecuted and sentenced for cannabis cultivation revealed indicia of forced labor, such as document retention, restriction of movement, and nonpayment of wages. The Romani community and undocumented migrant workers were high-risk groups susceptible to human trafficking.

The law allows undocumented workers to sue exploitative employers for back wages and compensation in cases of forced or compulsory labor. Trade unions and NGOs, including the MRCI and the ICI, contended the government needed to do more to identify and support victims and prosecute employers.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits employment of children under the age of 16 in full-time jobs. Employers may hire children who are 14 to 15 years old for light work on school holidays as part of an approved work experience or educational program. Employers may hire children older than 15 on a part-time basis during the school year. The law establishes rest intervals and maximum working hours, prohibits the employment of children 18 and younger for late-night work, and requires employers to keep detailed records of workers who are under 18. The law identifies hazardous occupations and occupational safety and health restrictions for workers under 18, which generally involve working with hazardous materials or chemicals. Employers must verify there is no significant risk to the safety and health of young persons and take into account the increased risk arising from the lack of maturity and experience in identifying risks to their own safety and health. The law stipulates that exposure to physical, biological, and chemical agents or certain processes be avoided and provides a nonexhaustive list of agents, processes, and types of work from which anyone under 18 may require protection. The government effectively enforced applicable laws, and there were no reports of illegal child labor.

The WRC is responsible for enforcement, and it was generally effective, with adequate resources and investigative and enforcement powers. Employers found guilty of an offense are liable to a fine of up to 2,000 euros (\$2,300). The law sufficiently deterred violations. Continuing breaches of the act can result in a fine of up to 300 euros (\$345) per day. The Health and Safety Authority has responsibility for overseeing hazardous occupations and can impose the same penalties as specified for other workers.

d. Discrimination with Respect to Employment and Occupation

The law bans discrimination in a wide range of employment and employment-related areas. It defines discrimination as treating one person in a less favorable way than another person based on color, political opinion, national origin, citizenship, social origin, language, or sex; civil status; family status; sexual orientation; religion; age; disability, including physical, intellectual, learning, cognitive, or emotional disability; HIV-positive status or other communicable diseases and a range of other medical conditions; or race and membership in the Traveller community (also see section 6). The law specifically requires equal pay for equal work or work of equal value.

Members of the lesbian, gay, bisexual, transgender, and intersex community; divorcees; single parents working in state-owned or state-funded schools; and hospitals operated under religious patronage have the same legal protections against discrimination as workers in the private sector.

The government effectively enforced applicable laws, and the nature of penalties for violations was sufficient to deter violations.

e. Acceptable Conditions of Work

The national minimum hourly wage increased to 9.25 euros (\$10.64) per hour in January 2017. Laws establishing and regulating wage levels cover migrant workers. The law limits overtime work to two hours per day, 12 hours per week, and 240 hours per year. The government effectively enforced these standards. Although there is no statutory entitlement to premium pay for overtime, the employer and employee may arrange it.

The government sets occupational health and safety standards. The Department of Business, Enterprise, and Innovation is responsible for enforcing occupational

safety laws, and these laws provided adequate and comprehensive protection. Depending on the seriousness of the violation, courts may impose fines, prison sentences, or both for violating the law. The maximum penalty is three million euros (\$3.45 million), imprisonment for up to two years, or both. The law also provides for fines of up to 1,000 euros (\$1,150) for certain offenses. There were no complaints from either labor or management during the year regarding shortcomings in enforcement.

All sectors of the formal economy effectively enforced minimum wage, hours of work, and health and safety standards. The WRC secures compliance with employment rights legislation in these areas through inspection and prosecution. The WRC's Inspection Services have the authority to carry out employment rights compliance inspections under employment legislation.

By law an employer may not penalize through dismissal, other disciplinary action, or less favorable treatment employees who lodge a complaint or exercise their rights under health and safety legislation. Employers have an obligation to protect an employee's safety, health, and welfare at work as far as is reasonably practicable. According to a report from the Health and Safety Authority, there were 48 workplace fatalities in 2017, an increase of two from 2016, 25 of them the result of farming accidents.