



STATUTORY INSTRUMENTS

**S.I. No. 76 of 2008**



STATISTICS (NATIONAL EMPLOYMENT SURVEY) ORDER 2008

**(Prn. A8/0374)**

## STATISTICS (NATIONAL EMPLOYMENT SURVEY) ORDER 2008

I, Tom Kitt, Minister of State at the Department of the Taoiseach, in exercise of the powers conferred on me by section 25(1) of the Statistics Act 1993 (No. 21 of 1993) and the Statistics (Delegation of Ministerial Functions) Order 2007 (S.I. No. 447 of 2007), hereby order as follows:

1. This Order may be cited as the Statistics (National Employment Survey) Order 2008.

2. In this Order—

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

“enterprise” has the meaning given to it by Regulation (EC) No. 1738/2005 of the European Parliament and of the Council of 21 October 2005<sup>1</sup>;

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

“survey” means National Employment Survey 2007 to be carried out by the Office during the year 2008.

3. (1) This Order applies to—

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

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

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

---

<sup>1</sup> OJ No. L279, 22.10.2005, p.32.

<sup>2</sup> OJ No. L393, 30.12.2006, p.1.

4. (1) Information, the general nature of which is specified in Schedule 1, is prescribed as information required to be provided, within the period specified by the Director General, by each enterprise to which this Order applies to the Office for the purpose of the survey. Except where otherwise specified in Schedule 1, the said information is to be provided in relation to the year 2007, and a reference period in October 2007, as appropriate, as required by the forms and questionnaires and the instructions provided for their proper completion.

(2) Information, the general nature of which is specified in Schedule 2, is prescribed as information required to be provided, within the period specified by the Director General, by each employee to whom this Order applies to the Office for the purpose of the survey. Except where otherwise specified in Schedule 2, the said information is to be provided by each such employee in respect of himself or herself in relation to or, as appropriate, as of, the month of October 2007, as required by the forms and questionnaires and the instructions provided for their proper completion.

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

- (a) by the completion of forms and questionnaires prepared by the Director General in accordance with section 23 of the Act, and
- (b) where directions under section 26 of the Act have been given to the enterprise or employee, in accordance with those directions.

6. An enterprise or employee required by this Order to provide information to the Office shall be deemed to comply with that requirement where, with the consent of the Director General, the information is provided by electronic means in a format or manner approved by the Director General.

## SCHEDULE 1

### *Article 4(1)*

Information relating to or, as appropriate, data comprising—

- (a) the total number of persons engaged in the enterprise and a breakdown by occupation and gender of those persons on 31 December 2007,
- (b) the total number of employment agency staff engaged in the enterprise on 31 December 2007,
- (c) the provision of information to employees during 2007,
- (d) the enterprise's training activities and the effects of same,

- (e) the costs and funding of the enterprise's training activities,
  - (f) the types of pension arrangements in the enterprise, the number of such arrangements and number of employees covered, the commencement of schemes and other details on the opening of the schemes to new members and, if relevant, the date of closure to new members,
  - (g) the terms and conditions of the schemes, eligibility criteria and whether the employer contributes to such schemes,
  - (h) the contributions by the employer and employee to pension schemes and arrangements,
  - (i) the time taken to complete the questionnaire,
- and
- (j) individual employee data for each employee to whom this Order applies who is employed by the enterprise concerned, including name, PPS number, earnings, number of weeks to which his or her gross annual earnings relate, occupation and hours of absence of and hours worked by each such employee and type of employment contract under which he or she is working.

## SCHEDULE 2

### *Article 4(2)*

1. Information or, as appropriate, data, in relation to the employee concerned, as to or in respect of—
  - (a) his or her gender, date of birth, nationality, and place of current residence, place of last foreign residence, year of taking up residence in the Republic of Ireland,
  - (b) the county where his or her employment is located,
  - (c) days of unpaid absence from his or her job,
  - (d) his or her education, occupation and employment history, and
  - (e) his or her job characteristics and attendance patterns.
2. Information in relation to or, as appropriate, data comprising his or her workplace pension arrangements and pension contributions.

GIVEN under my hand,  
11 March 2008

TOM KITT  
Minister of State at the Department of the Taoiseach.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

This Order provides a statutory basis for collecting statistics in relation to Earnings and Employment for national requirements.

All EU member states are obliged to compile Structural Statistics on Earnings for the year 2007. In 2008 the Central Statistics Office's Earnings & Employment Costs Division will commence the "National Employment Survey 2007".

This allows for the possibility of legal action against non-respondents. This would greatly increase our response rates and improve the overall quality of our statistical output both at National and European level.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
CONTAE MHAIGH EO,  
(Teil: 01 - 6476834/37 nó 1890 213434; Fax: 01 - 6476843 nó 094 - 9378964)  
nó trí aon díoltóir leabhar.

---

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased directly from the  
GOVERNMENT PUBLICATIONS SALE OFFICE  
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,  
or by mail order from  
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,  
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,  
(Tel: 01 - 6476834/37 or 1890 213434; Fax: 01 - 6476843 or 094 - 9378964)  
or through any bookseller.

---

€2.54



Wt. (B26007). 285. 3/08. Cahill. Gr. 30-15.