



# WORKING TIME RIGHTS



The Employment (Miscellaneous Provisions) Act 2018 was signed into law by President Higgins on Christmas Day. The Act bans zero-hour contracts and gives workers in casual and precarious jobs improved security around their working hours. It is one of the most important pieces of employment law in a generation and is the result of years of campaigning by the Irish Congress of Trade Unions.

There are four new rights for workers to be aware of:

## 1. You are entitled to a written statement of your terms of employment within first 5 days.

The Act legally requires your employer to provide you with a written statement of your main conditions of employment within the first 5 days of being hired. The statement must include details of your daily and weekly working hours, rate of pay and how pay is calculated.

## 2. Zero-Hour contracts are banned in most circumstances.

It had become practice for some employers to employ workers without guaranteeing them a set number of working hours. Under the Act, employers will no longer be able to use such zero-hour contracts except in very limited circumstances, such as to provide cover in emergency situations or to cover short-term absences.

## 3. You are entitled to a minimum payment if your employer fails to provide you with work.

You have the right to compensation from your employer if you turn up for work but are sent home without work. The minimum payment you are entitled to is 3 hours pay at the minimum wage rate, or 3 hours at the JLC rate if you work in a sector where an Employment Regulation Order is in force, such as security or contract cleaning.

## 4. You are entitled to be guaranteed hours of work that reflect your normal working week.

Under the Act, you have the right to be placed on a weekly band of hours that accurately reflect your normal working hours. For example, if your contract of employment guarantees you 10 hours per week but for the last 12-month period you have worked an average 25 hours per week, you are entitled to be placed on a band of hours that guarantees you a minimum of 21 hours per week.

The following table shows the new banded hours:

Band	From	To
A	3 Hours	6 Hours
B	6 Hours	11 Hours
C	11 Hours	16 Hours
D	16 Hours	21 Hours
E	21 Hours	26 Hours
F	26 Hours	31 Hours
G	31 Hours	36 Hours
H	36 Hours and Over	



If you are denied your rights under this new legislation or victimised for asking for them, contact a trade union who will assist you. Union contact details can be found on the Irish Congress of Trade Unions website [www.ictu.ie](http://www.ictu.ie)