**Killarney**

**HR & Payroll**

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# The Employment (Miscellaneous Provisions) Act

A guide for Employers

***Statement of Terms***

Within five days of an employee commencing employment, the employer must notify the employee in writing of certain core terms of employment. The five core terms to include are as follows:

* the full names of the employer and the employee;
* the address of the employer or principal place of business;
* the expected duration of a contract, if temporary or, the end date of a fixed term contract;
* the rate or method of calculation of the employee’s pay and the pay reference period;
* the number of hours which the employer reasonably expects the employee to work.

***Zero-hour contracts***

There is a provision under the Act; to prohibit zero hours contracts except in very limited circumstances, such as genuine casual employment or in emergency situations.

***Minimum Payment***

In the event of an employer failing to require an employee to work at least 25% of the time the employee is required to be available to work for the employer, the employee is entitled to payment for 25% of the contract hours or 15 hours, whichever is less.

***Banded hours contracts***

The Act enables employees to request to be placed within a band or range of hours. The bands of weekly working hours are:

A 3-6 hours - B 6-11 hours - C 11-16 hours - D 16-21 hours - E 21-26 hours

F 26-31 hours - G 31-36 hours - H 36+ hours

**Steps for Employers**

* Review procedures for new hires and ensure the systems are in place to provide the core terms and an employment contract on time;
* Review current contracts to check for zero hours contracts, whether they can be justified or need to be discontinued; and
* Review contracts and time sheets and be prepared for requests, regarding banded hours.

**For help, support and advice on the above or on any of your HR & Payroll needs please feel free to contact us.**

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