



Northern Ireland
Assembly

Employment Bill

Notice of Amendments tabled on
3 February 2016 for Consideration Stage

New Clause

After clause 18 insert -

‘Qualifying period of employment

Qualifying period of employment

18A.—(1) Article 124 of the Employment Rights (Northern Ireland) Order 1996 (right to written statement of reasons of dismissal) is amended as follows.

(2) In paragraph (3), for “one year” substitute “two years”.

(3) In Article 140 of that Order (qualifying period of employment), for “one year” substitute “two years”—

- (a) in paragraph (1); and
- (b) in paragraph (2).’

Mr Basil McCrea

Clause 5, Page 5, Line 10

After ‘add ‘‘ insert ‘(irrespective of the number of heads of claim)’

Mr Phil Flanagan

Clause 9, Page 8, Line 37

After ‘add ‘‘ insert ‘(irrespective of the number of heads of claim)’

Mr Phil Flanagan

New Clause

After clause 16 insert -

'Gender pay and disclosure of information

Gender pay gap information

16A.—(1) Employers must, in accordance with regulations to be made by the Department under this section, publish—

- (a) information relating to the pay of employees for the purpose of showing whether, by reference to factors of such description as is prescribed, there are differences in the pay of male and female employees; and
- (b) details of the methodology used to calculate any statistics contained in the information.

(2) Where there are differences in the pay of male and female employees, an employer must publish an action plan to eliminate those differences.

(3) A copy must be sent to all employees and any trade union recognised by the employer.

(4) This section does not apply to an employer who has fewer than 50 employees.

(5) The regulations must prescribe—

- (a) descriptions of employer;
- (b) descriptions of employee;
- (c) how to calculate the number of employees that an employer has;
- (d) a standardised method for calculating any differences in the pay of male and female employees;
- (e) descriptions of information;
- (f) a requirement that information include statistics on workers within each pay band in relation to:
 - (i) ethnicity, and
 - (ii) disability;
- (g) the time at which information is to be published; and
- (h) the form and manner in which it is to be published.

(6) The first regulations under this section must be made by 10 November 2016.

(7) Regulations under subsection (5)(g) may not require an employer, after the first publication of information, to publish information more frequently than at intervals of 12 months or less frequently than at intervals of 36 months.

(8) The regulations may make provision for a failure to comply with the regulations—

- (a) to be an offence punishable on summary conviction by a fine not exceeding level 5 on the standard scale for every employee;
- (b) to be enforced, otherwise than as an offence, by such means as are prescribed.

(9) The reference to a failure to comply with the regulations includes a reference to a failure by a person acting on behalf of an employer.

(10) Within 18 months of the day on which this Act receives Royal Assent, the Department must, in consultation with trade unions, publish a strategy including an action plan, on eliminating differences in the pay of male and female employees.'

Mr Phil Flanagan

New Clause

After clause 18 insert -

'Zero hour contracts'

Zero hour contracts

18A.—(1) Zero hour contracts are prohibited.

(2) Zero hours contracts means a contract of employment or other worker's contract under which—

- (a) the undertaking to do or perform work or services is an undertaking to do so conditionally on the employer making work or services available to the worker, and
- (b) there is no certainty that any such work or services will be made available to the worker.'

Mr Phil Flanagan