

## Summary of consultation topics

The following table provides a brief outline of the topics under consideration in the public consultation.

<b>THEME A</b>	<b>TERMS OF EMPLOYMENT</b>
<b>Replacing Zero Hours Contracts with contracts that provide flexibility and protect workers rights.</b>	Explores how best to limit or restrict the use of zero hours contracts and associated practices.
<b>Understanding Employment Status and addressing Bogus Self Employment</b>	Explores changes relating to employment status and bogus self-employment.
<b>Employment Rights: Dismissal and Re-Engagement (Fire and Re-Hire)</b>	Views are sought on a range of options to identify if Department action on this matter is required, and, if so, the extent of that action.
<b>Employment Rights: Redundancy – Offence of Failure to Notify</b>	Views are sought on the desirability of introducing an offence of personal liability for corporate office holders as it relates to the redundancy notification process.
<b>Employment Rights: Written Statement of Particulars</b>	Views are sought on whether legislation should be made to require that a written statement be provided to all workers, that it should be a day one right, and stipulate minimum content requirements.
<b>Agency Workers and Recruitment Agencies - Pay Between Assignment Contracts – Swedish Derogation</b>	Proposal to abolish an arrangement that may adversely affect pay parity between Agency workers and other workers.
<b>Key Information Document for Agency Workers</b>	Proposal to require the production of a Key Information Document providing pay transparency for assignments.
<b>Employment Agency Inspectorate (EAI) Information Sharing</b>	Views are sought on information sharing between the EAI and other regulatory bodies in prescribed circumstances.
<b>EAI Enforcement Powers: Labour Market Enforcement Undertakings &amp; Labour Market Enforcement Orders</b>	Proposal to provide the EAI with new enforcement powers short of prohibition.
<b>THEME B</b>	<b>PAY AND BENEFITS</b>
<b>Fair and Transparent Allocation of Tips, Gratuities and Service Charges</b>	Proposal to legislate so as to require employers to pass on payments for service in full (aside from any deductions required by law) and requiring that the distribution is fair and transparent.
<b>Employment Rights: Payslips</b>	Proposal to extend the right to a pay statement to workers, and that an itemised pay statement should contain information regarding the number of

	paid hours worked by the employee/ worker in situations where the employee/worker's pay varies as a consequence of the time worked.
<b>Working Time Regulations: Holiday Pay Reference Period</b>	Proposal to extend the holiday pay calculation reference period for workers on variable hours from 12 weeks to 52 weeks.
<b>Working Time Regulations: Record Keeping Requirements</b>	Information is sought on the experience of workplace record keeping activities, where a lack of record keeping has led to a dispute over hours worked or pay, and views on whether Departmental guidance is required.
<b>Working Time Regulations: Right to Disconnect</b>	Views are sought on whether existing legislation, as it relates to working time, is still effective in terms of promoting healthy work/life balances.
<b>THEME C</b>	<b>VOICE AND REPRESENTATION</b>
<b>Workplace Access</b>	Views are sought to help understand barriers to trade union officials accessing workplaces, if and how access should be improved.
<b>Collective Bargaining: Recognition</b>	Views are sought in relation to a reduction in the threshold number of employees required for a trade union to seek formal recognition.
<b>Collective Bargaining: Introduction of Collective Sectoral Bargaining</b>	Opinions are sought in relation to the benefits of sectoral bargaining to the local economy.
<b>Balloting &amp; Notice</b>	Views are sought on whether the current system of providing notice of industrial action is fit for purpose.
<b>Electronic Balloting</b>	Proposal to provide that balloting may be done by electronic means.
<b>Protections for Representatives</b>	Views are sought on whether the current legislative protections for trade union officials are fit for purpose.
<b>Protections for Workers taking part in Industrial Action</b>	Views are sought on the adequacy of current legislation regarding unfair dismissal of workers taking part in official industrial action.
<b>Facilitating Productive Workplace Relationships</b>	Proposal for a Code of Practice on an agreed set of principles and behaviours for employers and trade unions.
<b>Information and Consultation - Definitions</b>	Proposal to amend the law to ensure that the Information and Consultation of Employees Regulations (Northern Ireland) 2005 apply to smaller establishments/satellite offices within larger organisations.

<b>Information and Consultation - Thresholds</b>	Proposal that the threshold for initiating the rights conferred by the Information and Consultation of Employees Regulations (Northern Ireland) 2005 should be reduced from 10% to 2%.
<b>Transfer of Undertakings (Protection of Employment) Regulations -</b>	Views are sought on the changes made to TUPE by the British Government in 2014 and 2024, and other aspects on which it is currently consulting, to ascertain if similar changes are required here.
<b>Public Interest Disclosure (Whistleblowing): Annual Duty to Report</b>	Proposal to require prescribed persons to produce an annual report, setting out minimum stipulated information.
<b>THEME D</b>	<b>WORK-LIFE BALANCE</b>
<b>Flexible Working</b>	Proposal to enhance current rights by making the right to request flexible working available to both new and existing employees, allowing an employee to make two statutory requests in any 12-month period, and removing the requirement for the employee to explain what effect the change would have on the employer and how that might be dealt with.
<b>Carer's Leave</b>	Proposal to introduce unpaid Carer's Leave to create a new right to up to one week of unpaid leave per year for eligible employees who have caring responsibilities.
<b>Neonatal Care Leave and Pay</b>	Proposal to introduce a new right to statutory leave and pay for eligible employees whose newborn enters neonatal care within 28 days of birth for a period of 7 or more days up to a period of 12 weeks.
<b>Protection from Redundancy – Pregnancy and Family Leave</b>	Proposal to create an additional protection period during pregnancy which would begin as soon as a person informs their employer of their pregnancy – in cases of pregnancy loss, this would include a further two weeks of protection after the pregnancy ends. Proposal to extend the period of protection from redundancy* to 18 months from when the child is born, stillborn, expected to be born, or is placed for adoption – this period of 18 months would include any period of relevant leave taken (Maternity, Adoption and qualifying Shared Parental Leave). <i>*The current protections from redundancy are only in place during the period in which the relevant leave is being taken.</i>
<b>Paternity Leave</b>	Proposal to make the right to paternity leave more flexible by enabling the leave to be taken as a single block of two weeks or two blocks of one week within

	<p>52 weeks of birth or adoption; reducing the notice period required before the leave can be taken; and making the leave entitlement available from the first day of employment.</p>
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