



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Zero Hours' Contracts
Date:	25 October 2013
Reporting Officer:	Jill Minne, Head of Human Resources (ext. 3220)

1.	Relevant Background Information
1.1	At Council on 1 October 2013, a Notice of Motion was referred under Standing Order 11e to the Strategic Policy and Resources Committee <i>'to consider the introduction of a policy which would ensure that no Zero Hours' Contracts (ZHCs) are ever imposed on Council employees or, within an agreed timescale, by any suppliers who provide agency or other staff services to the Council.'</i>
1.2	This report defines the use of Zero Hours' Contracts, explains how 'casual' workers currently engaged in the Council are managed; and proposes a policy framework to be developed and considered at a future meeting.

2.	Key Issues
2.1	By definition, workers on ZHCs only work as and when they are needed by employers and are only paid for the hours they work. There is no guarantee of work, so no particular number of hours or times of work are specified; instead, workers operate on an 'on-call' basis.
2.2	Workers on ZHCs are entitled to accrue annual leave and to payment when they work. However, they do not have all the same rights as those on traditional employment contracts and they are not entitled to sick pay. As there is no guaranteed work, and consequently no guaranteed income, mortgages and credit cards can be more difficult obtain if an individual is on a ZHC. Some ZHCs oblige workers to take the shifts they are offered, others do not.
2.3	Belfast City Council recognises that the use of ZHCs may be open to abuse, i.e. where individuals are to all intents and purposes employees working an identifiable routine, but engaged under a ZHC and therefore not afforded employment protection. This is an employment practice that Belfast City Council, as a best practice employer, would not wish to follow.
2.4	Belfast City Council does not engage anyone on ZHC; we have a small number of casual workers to cover short-term, ad-hoc or unplanned work; during busy times; or to cover short-term sickness, leave or specialist assignments in its front-line, customer-serving facilities, for example, casual coaches, leisure attendants, receptionists, stage technicians, front of house jobs.

2.5	Belfast City Council's 'casual' workers are recruited in line with the LGSC's Code of Procedures on Recruitment and Selection Procedures on the basis of merit and paid the same hourly rate of pay in line with that determined by the NJC for Local Government Services plus an additional percentage rate to compensate for untaken annual leave entitlement. In addition, there is no obligation either on the Council to offer work or on the 'casual' worker to accept such work. The 'casual' worker is not subject to any detriment if s/he is unable to accept the work and s/he may also indicate the days and times when s/he will be available for work.
2.6	The Council will also give as much notice as possible (at least two weeks), where practicable, to enable its 'casual' workers to accept the work and it has a system in place to refresh its 'casual' list of workers to ensure they are still available for work; wish to remain on the 'casual' list and still hold the relevant qualifications / certificates, if applicable
2.7	Given BCC's recognition that the use of ZHCs could be open to abuse it is proposed that a policy is developed in respect of 'casual' workers in Belfast City Council.
2.8	Such a policy would include: <ul style="list-style-type: none"> - Policy statement / general principles on the use of 'casual' workers; - Procedure for use of 'casual' workers; - Recruitment of 'casual' workers; - Terms of engagement for 'casual' workers, including annual leave provision; - Allocation of hours to 'casual' workers; - Maintenance / refreshing of database for 'casual' workers etc.
2.9	It is also proposed, following consultation with the Council's Head of Contracts, that the policy includes reference to ensuring that suppliers who provide agency or other staff services to the Council are aware of fair employment and best practice guidance in respect of engaging any 'casual' or ZHC workers in their business with the Council.

3.	Resource Implications
3.1	<u>Human Resources</u> There are no human resource implications.
3.2	<u>Financial</u> There are no financial implications. 'Casual' workers will continue to be paid the same hourly rate of pay in line with that determined by the NJC for Local Government Services plus an additional percentage rate to compensate for untaken annual leave entitlement.

4.	Equality Implications
4.1	There are no equality implications.

5.	Recommendations
5.1	It is recommended that:
5.2	Members note how 'casual' workers currently working in the Council are managed; and
5.3	Members agree the policy framework to be further developed and presented to Committee for approval at a future meeting.

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6.	Decision Tracking
6.1	A Policy Statement on the Council's Use of Casual Workers will be brought to a future meeting of the Strategic Policy and Resources Committee.

7.	Key to Abbreviations
7.1	ZHO – Zero Hours' Contract LGSC – Local Government Staff Commission NJC – National Joint Council