



**MANDATE**  
TRADE UNION

**MANDATE TRADE UNION SUBMISSION TO THE DEPARTMENT OF  
JOBS, ENTERPRISE AND INNOVATION ON THE REPORT AND  
RECOMMENDATIONS OF THE STUDY ON THE PREVALENCE OF ZERO  
HOUR CONTRACTS CARRIED OUT BY THE UNIVERSITY OF LIMERICK.**

*January 2016*

## **1. Introduction**

This is the written submission of Mandate Trade Union to the Department of Jobs, Enterprise and Innovation requested as part of the consultation on the findings and recommendations of the report carried out by The University of Limerick into the prevalence of Zero Hour Contracts and Low Hour Contracts.

Mandate Trade Union represents 45,000 workers who are mainly employed in the retail sector. The vast majority of these workers are employed involuntarily on part time contracts therefore the issues of certainty of hours and income adequacy are of principal concern to them and their dependents.

Within this context Mandate views the publication of the report by The University of Limerick as being significantly important in not only recognising but also capturing the degree of precarious working arrangements which have significantly increased across many sectors, both public and private, particularly during the recent years of economic recession.

For the purpose of this brief submission we will address specifically the 14 recommendations contained in the report and offer our opinion with regard to same.

## **2. Opinions/Views on the Recommendations**

### *Recommendation 1*

We support the thrust of this recommendation

### *Recommendation 2*

We support the thrust of this recommendation

### *Recommendation 3*

We support the thrust of this recommendation

### *Recommendation 4*

Whilst supporting the main intention to secure contractually guaranteed adequate weekly hours for workers it is important that such a right is not only enshrined in the legislative changes as proposed but also through the full and meaningful application of the converse terms contained in the 2006 Code of Practice on Access to Part Time Working where a worker also has the right to seek full time hours.

Any resistance by employers to regulate the working hours of their workers as suggested in this recommendation cannot be sustained on the basis of increased cost. All that is being asked is that the hours which have been actually worked over the prescribed period of time are recognised for the purpose of creating of a new minimum weekly threshold, thus rendering the measure largely cost neutral.

Obviously any proposed changes to current legislation must be supported by appropriately resourced information campaigns and robust enforcement measures.

### *Recommendation 5*

We support the thrust of this recommendation

*Recommendation 6*

We support the thrust of this recommendation

*Recommendation 7*

We believe that a more realistic daily threshold would be 5 hours to ensure that workers are presented with a genuine option of taking up gainful employment and in the process achieving the objective of “making work pay”

*Recommendation 8*

We believe that any derogation so agreed should seek to enhance and not weaken the minimum terms contained in recommendations 4-7

*Recommendation 9*

Based on practical experience we strongly agree with the objective of developing by agreement formal frameworks which bring certainty of hours and adequacy of income. Through negotiation we have secured these type of arrangements with some of the biggest employers in the retail sector. Over the passage of time it is clearly evident that these measures offer benefits to all of the stakeholders involved.

*Recommendation 10*

It is clearly evident that if many of the preceding recommendations were to be transposed into law that the key objective of this recommendation would be greatly assisted to the point where the status of the workers in question would become clearer.

*Recommendation 11*

We welcome the thrust of this recommendation in that it clearly attempts to deal with the issue of those who find themselves living in poverty even though they are at work. It is also important that such a consultative process as envisaged ensures that we effectively and appropriately use the resources of the State in a way that is meaningful and has tangible effect. Furthermore, these resources cannot be used to sustain precarious and low hour contracts in businesses which are profitable and clearly capable of offering sufficient weekly hours to those workers who wish to avail of them.

*Recommendation 12*

We support the thrust of this recommendation and in doing so once again highlight the disproportionate and negative impact this issue has on women who are either active in or have a desire to return to the workforce.

*Recommendation 13*

We support the thrust of this recommendation and in doing so would seek to ensure that any consultative process so envisaged would significantly involve and engage with the relevant parts of the trade union movement

*Recommendation 14*

We support the thrust of this recommendation

### **3. Conclusion**

We wish to acknowledge the opportunity offered by the Department to Mandate Trade Union to make observations on what we believe to be the crucially important issues dealt with in The University of Limerick report. From a timing perspective it is also crucial that the core issues addressed in the report deal with the matter of decency in the workplace at a moment when we are all challenged to address what type of society we want as we emerge from years of economic recession. During these years there is common acceptance that there has been a hollowing out of good jobs which have been replaced with more precarious, low hour, low paid insecure contracts. If economic recovery is to mean anything then there must be a conscious effort to reverse some of these trends and it is our considered opinion if accepted all of the recommendations contained in the report would positively move us in that direction.