



Improving Employment Relations
Chairman and Chief Executive's Office

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28th February 2014

Ms Paula Lovitt MBE
Employment Status and Employment Contracts Team
Department of Business, Innovation & Skills
Labour Market Directorate
3rd Floor, Abbey 1
1 Victoria Street
LONDON SW1H 0ET

Dear Ms Lovitt,

Re: BIS Consultation – Zero Hours Employment Contracts (December 2013)

The Labour Relations Agency Board, at its meeting on 27th February 2014, considered the above Consultation document and makes the following response:

Question 4

Do you think Government should provide more focused guidance on the use of exclusivity clauses, for example setting out commonly accepted circumstances when they are justified and how to ensure both parties are clear on what the clause means? If your answer yes, what information should be included?

Question 5

Would a Code of Practice setting out fair and reasonable use of exclusivity clauses in zero-hours contracts (a) help guide employers in their use, and (b) help individuals understand and challenge unfair practices? Please explain your response.

LRA Response to Questions 4 and 5

The Labour Relations Agency, in the interests of promoting the improvement of employment relations, would be prepared to publish either more focused guidance or a Code of Practice on the use of exclusivity clauses in zero hours contracts in Northern Ireland taking account of the responses received from the consultation exercise. A Code of Practice drawn up by employers and employer representatives is distinct from a Code drawn up by Government or the Agency in consultation with employers, trade unions and other relevant stakeholders. Such a Code should be considered on the basis of whether it is likely to improve employment relations.

Question 8

Would the additional information, advice and guidance suggested in the first option (first bullet point, Para 41), help individuals and business understand their rights and obligations? If not, what other information should Government provide?

LRA Response to Question 8

The Labour Relations Agency is of the opinion that both individuals and employers need to be fully aware of and understand their rights and obligations to promote and foster an atmosphere of good employment relations.

Yours sincerely,

A handwritten signature in blue ink that reads "W Patterson". The signature is written in a cursive style with a large, stylized 'W'.

W PATTERSON
Chief Executive