

MANDATE MEMBERS

Making a request to be placed in a band of weekly working hours

- The Bill which will enable workers to have more secure weekly working hours was passed and signed into law in late December 2018 after a long and hard fought campaign by Mandate members over several years. The new law called the Employment (Miscellaneous Provisions) Act, 2018 came into force during on the 4th of March 2019.
- According to the new Act employees are required to submit requests in writing to their employer to be placed in a band of weekly working hours. Mandate has [template request letters](#) prepared for members that can be obtained by clicking above or from your shop steward or Mandate official.
- Once a request letter is submitted to the store manager, the company has a maximum of 4 weeks to place you in a new band in accordance with the legislation. Keep a copy of the letter submitted.
- Whilst it is the responsibility of the company to calculate your weekly average over the last 12 months and place you in band of weekly working hours, it is good practice to check and make sure it is done correctly. Basically you need to review your payslips to calculate your average working hours over the 52 weeks immediately prior to your request being submitted. Make sure to average only the weeks that you actually worked over the last 12 months when averaging your hours.
- The following are the minimum weekly bands in the legislation which you should be placed in based on your average. *(Note these are weekly minimum bands. There is nothing to prevent you from working above these hours should you be offered additional hours.)*

Band	From	To
A	3 hours	6 hours
B	6 hours	11 hours
C	11 hours	16 hours
D	16 hours	21 hours
E	21 hours	26 hours
F	26 hours	31 hours
G	31 hours	36 hours
H	36 hours	

- According to the legislation a request can be refused if the employer can demonstrate:
 - No evidence to support the claim
 - Significant adverse changes to the business during or after the reference period
 - Where average hours worked by an employee was affected by a temporary situation that no longer exists.
 - Exceptional, unusual or unforeseeable circumstances, an emergency situation beyond the employer's control.
- If the company does not comply with the request within the timeframe or has not demonstrated adequate grounds for refusal, contact your local shop steward or Mandate official for assistance.
- The new legislation contains strong anti-victimisation clauses. If you feel you have been victimised for making a request for secure hours as outlined such as demotion, transfer of duties, change of location of place of work, reduction in wages or change in working hours, or other forms of coercion or intimidation, contact your Mandate official for assistance.