



Advice NI Response To: THE 'GOOD JOBS' EMPLOYMENT RIGHTS BILL PUBLIC CONSULTATION

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Advice NI Response To:

THE 'GOOD JOBS' EMPLOYMENT RIGHTS BILL PUBLIC CONSULTATION

About Advice NI and the independent advice network

Advice NI is a membership organisation and service provider that exists to provide leadership, representation, support and services for the Independent Advice Network and people in Northern Ireland. We support 65 members across NI, providing advice on benefits, debt, housing, employment and consumer related issues.

Advice NI also delivers a range of advice services to the public via a Freephone helpline which includes Debt & Money, Benefits, Tax Credits & HMRC products/services, EU Settlement Scheme and Business Debt. See www.adviceni.net for more on the work of the independent advice network.

Our latest annual report highlights annualised figures of over 260,000 enquiries, including:

- 76% social security benefits (including in-work benefits)
- 3% employment (with 'Pay & Entitlements', 'Dispute Resolution' and 'Dismissal' the consistent Top 3 enquiries).

The Advice NI Policy Manifesto document makes a number of policy calls including:

- Community Wealth Building (CWB) to be adopted as a viable model for addressing poverty;
- Supporting the growth of the Real Living Wage movement;
- Reverse the recent trend of 'freezing' the uprating of working age in work and out of work benefit levels;
- Outlaw zero-hours contracts;
- Greater focus on creating more opportunities & apprenticeships for young people;
- Improvement of job prospects and working careers of people with disabilities and other people who are further from the labour market and face additional challenges entering the workplace, taking care not to abuse or exploit those who are sick, disabled or in any other way economically inactive;
- Development of an ambitious local Green New Deal, implemented through the Community Wealth Building model;
- Ensure businesses get the right advice and support. Some businesses may find themselves struggling financially and more should be done to ensure they can access the help and support they need;
- Use of the Community Wealth Building model to invest in and develop co-operative and community businesses as a means of creating more and better jobs, and of providing import-replacing products that will help NI become more resilient and self-reliant;

Living Wage NI

Advice NI is the Living Wage Foundation's accreditation partner in NI. In terms of supporting the real Living Wage, the Department for the Economy, together with the Living Wage Foundation, has provided the funding to allow Advice NI to set up and operationalise Living Wage NI. The initiative launched in June 2024 and aims to increase awareness of the real Living Wage and drive up the number of accredited Living Wage employers and the number of workers being paid the real Living Wage in NI. Living Wage NI is modelled on similar successful Living Wage Foundation accreditation partnerships in Scotland and Wales. Living Wage Scotland and Living Wage Wales have demonstrated the success of having a local agency promoting the Living Wage and accrediting employers in their jurisdictions. There are currently 15,356 Living Wage accredited employers in the UK, with 3,728 in Scotland and 587 in Wales. Living Wage NI has already undertaken significant publicising of the Living Wage with local media outlets including BBC Newsline. Since April 2024, 21 businesses have successfully accredited including Invest NI and QUB as well as a range of smaller SME's and charities. Despite a challenging time for businesses, Living Wage NI celebrated the milestone of 100 accredited NI employers in September 2024.

'Good Jobs' Employment Rights Bill Consultation

Advice NI welcomes the 'Good Jobs' consultation and supports the efforts of the Minister and the Department in relation to:

- Terms of Employment.
- Pay and Benefits.
- Voice and Representation.
- Work-life Balance.

THEME A: TERMS OF EMPLOYMENT

Advice NI supports the proposals as set out, in particular in respect of replacing zero hours contracts with contracts that provide flexibility and protect workers rights.

We would highlight that in respect of zero hours contracts, they contribute to job insecurity, uncertainty around employment income and employment rights, stagnant pay and the growth of in-work poverty. There may also be repercussions in terms of turning down work and a lack of opportunity for training or career progression.

The Living Wage Foundation has developed a new standard of what 'good' looks like for those employers that can offer 'Living Hours' alongside a real Living Wage. Advice NI would ask that the Department consider the following in terms of asking that employers provide:

- Decent notice periods for shifts: of at least 4 weeks' notice, with guaranteed payment if shifts are cancelled within this notice period;
- The right to a contract that reflects accurate hours worked;
- Unless the worker requests otherwise, a guaranteed minimum number of hours a week equivalent to the Administrative Earnings Threshold (AET) in Universal Credit (currently a monthly Assessment Period figure – £892 – equivalent to earnings of 18 hours per week at the National Living Wage). In other words, working hours at or above the AET mean that Universal Credit claimants are exempt from conditionality including work search and work availability requirements. It makes sense that Government is joined up in terms of the guidance, requirements and thresholds that exist across Departments, especially given the stated focus on supporting people to move from benefits in to work.

Advice NI notes that the consultation document states that: “Flexible working may also help to close the gender pay gap”. Whilst this may be true, we believe that there should be more than a passing reference to the gender pay gap issue. Given the latest statistics from the Department for the Economy suggest that “the gender pay gap for all employees (regardless of working pattern) in NI is in favour of males. Median hourly earnings (excluding overtime) for females (£13.75) was 7.8% below those for males (£14.92). This is slightly wider than the 2022 gender pay gap (7.5%) but is lower than rates prior to 2020 and lower than the gap recorded in the UK in the last three years (between 14% and 15%).” We believe that consideration should be given to bringing forward further measures to address this important issue. For example, given the fundamental shift that has taken place regarding flexible working during and since Covid, we believe that consideration should be given to a presumptive right to flexible working unless employers can objectively justify not offering it (as is expected to be legislated for in GB), rather than it being on the employee to request flexibility.

THEME B: PAY AND BENEFITS

Advice NI supports the proposals as set out.

We would additionally call for the introduction of measures which would require employers to at least consider introducing the real Living Wage or engaging with Living Wage NI with a view to exploring in detail the merits and opportunities presented by adopting the real Living Wage. As a first step, this would increase awareness about the real Living Wage and the support available to help organisations through the accreditation process.

Regarding the Department's intention to introduce new primary and subordinate legislation which will create a new right to up to one week of leave for eligible employees who have caring responsibilities; Advice NI would advocate for this to be paid (rather than unpaid). Given the very considerable pressures on carers in terms of balancing work with caring responsibilities, such a step would not only provide

vital financial support but would also go a long way to helping carers remain in employment whilst providing much-needed care and support to loved ones at home.

THEME C: VOICE AND REPRESENTATION

Advice NI supports the proposals as set out.

THEME D: WORK-LIFE BALANCE

Advice NI supports the proposals as set out.

Other comments

In addition to a presumptive right to flexible working, Advice NI would want to see the inclusion of two other rights not included in the consultation document, which are coming into law in GB:

- a Day 1 right to protection against unfair dismissal, rather than having to work for a year before getting this; and,
- an anticipatory duty placed on employers to prevent sexual harassment as set out in the Worker Protection Act 2023.

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