

Zero Hours Contracts

A zero hours contract is generally understood to be a contract between an employer and a worker whereby: the employer is not obliged to provide any minimum working hours, and the worker is not obliged to accept any work offered. On 26 May 2015, new regulations about zero hours contracts entered into force. The law prevents employers from enforcing 'exclusivity clauses', which is also known as a non-compete, in a zero hours contract. An exclusivity clause would be where an employer restricts workers from working for other employers.

When are zero hours contracts used?

Zero hours contracts can be used to provide a flexible workforce to meet a temporary or changeable need for staff. For instance: unexpected or last-minute events (e.g. a restaurant needs extra staff to cater for a wedding party that just had their original venue cancel on them), temporary staff shortages (e.g. an office loses an essential specialist worker for a few weeks due to bereavement), on-call/bank work (e.g. one of the clients of a care-worker company requires extra care for a short period of time). In many cases, it may be more effective or appropriate use agency workers, or recruit staff on fixed-term contracts - or it may turn out that the need is permanent and therefore a permanent member of staff can be recruited.

Depending on the specific agreements in the contract, a 'zero hours' contract might mean that the contract only exists when the work is provided. In such cases, a full calendar week without work from Sunday to Saturday is required to cause a break in employment. However, when employment is continuous, certain employment rights accumulate over time. For example, after their first year, workers don't need to accrue their annual leave before taking it. In the same way, when employment is broken, an employer has certain responsibilities, too. This includes a need to pay the worker for any accrued and untaken holiday pay.

Employment status

In most cases zero hours contracts mean that an employer recruits a 'worker.' However, the way the relationship with that worker develops may enhance the employment status to that of an 'employee', who has additional employment rights. For example, employee status provides statutory notice rights. Developments that contribute to such a change could include subjecting the worker to disciplinary procedures or punishing them in some way if they don't accept all the hours offered. Zero hours status also has to stand up on paper (in the contract) as well as in practice. Where there is a dispute over this, an employment tribunal may decide for themselves what contractual relationship exists between employer and worker and any associated employment rights, including enhancements such as accruing the right to take maternity leave or pay and the right to ask to request flexible work.

Adapted from www.acas.org.uk

Ex. 1 Find the words or expressions in the text which mean the following:

- 1) to stop sb from doing sth: _____
- 2) only for a period of time: _____
- 3) workers: _____
- 4) important: _____
- 5) for a continuous period of time: _____
- 6) to officially want sth / sth is officially necessary: _____
- 7) to collect: _____
- 8) to employ sb: _____
- 9) to improve sth: _____
- 10) not basic: _____
- 11) happening once a year: _____
- 12) proper: _____

Ex. 2 Match the expressions from the two columns into logical collocations:

- | | |
|--------------------|--------------------|
| 1) an exclusivity | in employment |
| 2) minimum | holiday pay |
| 3) new regulations | procedures |
| 4) a fixed | entered into force |
| 5) a break | leave |
| 6) employment | term contract |
| 7) untaken | clause |
| 8) disciplinary | tribunal |
| 9) employment | rights |
| 10)maternity | working hours |

Ex. 3 Provide English equivalents of these expressions:

1) zapewnić coś	7) przyczynić się do czegoś
2) być zobowiązanym do czegoś	8) zostać poddanym czemuś
3) elastyczna siła robocza	9) spór o coś
4) żałoba	10)stosunek uregulowany umową
5) nagromadzić	11)pokrewny
6) ustawowe prawo do okresu wypowiedzenia	12)członek

Grammar corner...

The part of the sentence ... *to accept the hours offered* seems to be missing something, doesn't it? You would rather say ... *to accept the hours WHICH ARE offered*, right? Well, the first option is also correct and some even consider it more advanced. Some time ago you learned about RELATIVE CLAUSES, i.e. sentences with *which, where, when, why, whose*, etc. Now you can experiment with them by REDUCING them by omitting the *wh-* words, just like in the example above. For instance: staff (who are) hired based on a zero hours contract, holiday pay (which was taken) by an employee, etc.

Ex. 4 Reduce the following relative clauses by putting the part that can be dropped in (parenthesis).

- 1) A new law which was passed last week regulates the status of employees working on zero hours contracts.
- 2) Staff who are currently claiming child benefits will keep their privileges, but it won't be possible for new members to apply.
- 3) Decisions which are issued by the employment tribunal are final and cannot be appealed.
- 4) Students who are educated abroad usually have better chances of finding work in Poland than Polish graduates, which is sad.
- 5) The terms and conditions which are agreed upon in the agreement apply to both parties to it.

GLOSSARY	
a non-compete / an exclusivity clause	umowa o zakazie konkurencji / klauzula wyłączności
to cater for a wedding	zapewniać catering na weselu
child benefits	świadczenia na dziecko
to appeal a decision	złożyć apelację na decyzję
agreed upon	uzgodniony
to prevent sb from doing sth	powstrzymać kogoś przed zrobieniem czegoś
temporary	tymczasowy
staff	pracownicy
essential	istotny / ważny
permanent	stały
to require sth	wymagać czegoś
to accumulate sth	gromadzić coś
to recruit sb	zatrudnić kogoś
to enhance sth	ulepszyć coś
additional	dodatkowy
annual	doroczny
appropriate	stosowny
minimum working hours	minimalny wymiar zatrudnienia
new regulations entered into force	nowe przepisy weszły w życie
a fixed-term contract	umowa na czas określony
a break in employment	przerwa w zatrudnieniu (coś w rodzaju okresu nieskładkowego)
employment rights	prawa pracownicze
untaken holiday pay	niewypłacona ekwiwalent urlopowy
a disciplinary procedure	postępowanie dyscyplinarne
employment tribunal	sąd pracy

to provide sth	zapewnić coś
to be obliged to do sth	być zobowiązanym do czegoś
flexible workforce	elastyczna siła robocza
bereavement	żałoba
to accrue sth	nagromadzić
statutory notice rights	ustawowe prawo do okresu wypowiedzenia
to contribute to sth	przyczynić się do czegoś
a dispute over sth	spór o coś
a contractual relationship	stosunek uregulowany umową
associated	pokrewny
member	członek

ANSWER KEY:

Ex. 1

- 1) to prevent sb from doing sth
- 2) temporary
- 3) staff
- 4) essential
- 5) permanent
- 6) to require sth
- 7) to accumulate sth
- 8) to recruit sb
- 9) to enhance sth
- 10) additional
- 11) annual
- 12) appropriate

Ex. 2

- 1) an exclusivity clause
- 2) minimum working hours
- 3) new regulations entered into force
- 4) a fixed-term contract
- 5) a break in employment
- 6) employment rights
- 7) untaken holiday pay
- 8) a disciplinary procedure
- 9) employment tribunal
- 10) maternity leave

Ex. 3

- 1) to provide sth
- 2) to be obliged to do sth
- 3) flexible workforce
- 4) bereavement
- 5) to accrue sth
- 6) statutory notice rights
- 7) to contribute to sth
- 8) to be subjected to sth
- 9) a dispute over sth
- 10) a contractual relationship
- 11) associated
- 12) a member

Ex. 4

- 1) (which was)
- 2) (who are)
- 3) (which are)
- 4) (who are)
- 5) (which are)