



FAQ'S

Agency Workers Directive

Q. What is the Agency Workers Directive?

A. The two main purposes of the Agency Worker Directive (AWD) are to ensure the appropriate protection of temporary agency workers through the application of the principle of equal treatment which already applies to fixed term staff and part time workers is extended to agency staff and too address unnecessary restrictions and prohibitions on the use of agency work.

Q. Who does it affect?

A. All Temporary workers working through an employment agency.

Q. Who does equal treatment apply to?

A. All Temporary workers whether they are on a contract for services or a contract of services.

Q. When does it become active?

A. It must be enacted into Irish law no later than 5th December 2011.

Q. What are the main concerns from recruiters and clients?

A. One of the main concerns is establishing what equal treatment is it should be easy to determine on rates of pay where these rates are defined and really accessible, where not or if it moves into other areas of entitlement it will get very complicated.

Q. What are the NRF currently doing?

A. The NRF are in continual dialogue with DETI and key stakeholders and will continue to do so on behalf of its members **to ensure this new regulation is implemented with minimal damage to our members and its clients. NRF are calling for a balanced review of the way the directive is implemented in Ireland. A consultation document with recommendations and suggestions of what we would see as minimal impact on Agencies and Clients has been sent to DETI on 30th of November.**

Q. Where can I find out more?

A. NRF will keep its members updated through regular communication events, such as breakfast briefings, annual conference and NRF website.



FAQ's

Q. How will we be expected to determine comparable pay?

A. Agencies must talk to their Clients to get what relevant rates of pay are for equal pay to be applied. Currently the rate that must be looked at is the rate of pay that would be paid if the agency worker had been taken on directly.

Q. What are the next steps?

A. Next steps are to secure another meeting with DETI to discuss recommendations presented by NRF.

Q. What about Holiday entitlement?

A. Agency workers have accrued Holidays from day one for a number of years. The AWD does not change this.

Q. Is this happening in other countries around Europe?

A. Yes it was inspired by EU Legislation, most European countries have had the concept of equal pay for many years, however many have had derogations that apply.

Q. What is the potentially most damaging part of the act for Recruitment companies?

A.1. If equal pay is passed from day one it may have an impact on clients not filling short term temporary roles through an agency. 2. Calculating the cost of the temp and comparing against a full time employee of the Company, whose responsibility this is and whose lap it will fall in should it go to court.