

## Five Core Terms

### (Changes To Terms Of Employment Act)

Within 5 days of all employees commencing employment from March 4<sup>th</sup> 2019 the following information **must** be provided.

- 1) Employers name  
Employees name
- 2) Employers address
- 3) expected duration of employment (if a temporary contract), or end date if a fixed-term contract. \*This section does not have to be filled if the position is permanent or a contract of indefinite duration.
- 4) Both the **rate** and method (hourly/weekly etc) of pay and the reference period (payment daily/weekly/fortnightly/monthly)
- 5) the number of hours that the employer 'reasonably expects' the employee to work on a normal working day and normal working week.

This new obligation does not remove all the previous information requirements under the 1994 Act, many of which will still need to be incorporated into employment contracts and provided within two months of commencement. A practical way for employers to comply with the new obligation is to review their current offer letter and ensure the five core terms are included when issuing it to candidates. Alternatively, contracts of employment incorporating the existing information requirements under the 1994 Act and the new requirements could be issued before commencement of employment or within five days afterwards.

Employees can bring a claim to the WRC for up to four weeks' remuneration if an employer fails to provide these core terms within five days. Failure to do so within one month is a criminal offence punishable by up to a year's imprisonment and/or a fine of up to EUR 5,000. Where an offence is committed under the 1994 Act, liability does not stop with the employer. A director, manager, secretary or officer of the company can also face liability where they have acted with the employer's consent or connivance.