

STATUTORY INSTRUMENTS

1996 No. 1919

The Employment Rights (Northern Ireland) Order 1996

[^{F1}PART IXA

FLEXIBLE WORKING

[^{F1}Statutory right to request contract variation

112F.—(1) A qualifying employee may apply to his employer for a change in his terms and conditions of employment if—

- (a) the change relates to—
 - (i) the hours he is required to work,
 - (ii) the times when he is required to work,
 - (iii) where, as between his home and a place of business of his employer, he is required to work, or
 - (iv) such other aspect of his terms and conditions of employment as the Department may specify by regulations, ^{F2}...

^{F3}(b)

(2) An application under this Article must—

- (a) state that it is such an application,
- (b) specify the change applied for and the date on which it is proposed the change should become effective, [^{F4}and]
- (c) explain what effect, if any, the employee thinks making the change applied for would have on his employer and how, in his opinion, any such effect might be dealt with, ^{F5}...

^{F6}(d)

(3) ^{F7}

(4) If an employee has made an application under this Article, he may not make a further application under this Article to the same employer before the end of the period of twelve months beginning with the date on which the previous application was made.

(5) The Department may by regulations make provision about—

- (a) the form of applications under this Article, and
- (b) when such an application is to be taken as made.

(6) ^{F8}

(7) ^{F9}

(8) For the purposes of this Article, an employee is—

- (a) a qualifying employee if he—

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- (i) satisfies such conditions as to duration of employment as the Department may specify by regulations, and
 - (ii) is not an agency worker [^{F10}(other than an agency worker who is returning to work from a period of parental leave under regulations under Article 108)];
- (b) an agency worker if he is supplied by a person (“the agent”) to do work for another (“the principal”) under a contract or other arrangement made between the agent and the principal.

^{F11}(9)]

F1	2002 NI 2
F2	Word in art. 112F(1)(a) repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), ss. 19(2)(a), 23(1), Sch. 2 ; S.R. 2015/86, art. 4(1)(g)(3) (with art. 7(2)(3))
F3	Art. 112F(1)(b) repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), ss. 19(2)(b), 23(1), Sch. 2 ; S.R. 2015/86, art. 4(1)(g)(3) (with art. 7(2)(3))
F4	Word in art. 112F(2)(b) inserted (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), ss. 19(3)(a) , 23(1); S.R. 2015/86, art. 4(1)(g) (with art. 7(3))
F5	Word in art. 112F(2)(c) repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), ss. 19(3)(b), 23(1), Sch. 2 ; S.R. 2015/86, art. 4(1)(g)(3) (with art. 7(2)(3))
F6	Art. 112F(2)(d) repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), ss. 19(3)(c), 23(1), Sch. 2 ; S.R. 2015/86, art. 4(1)(g)(3) (with art. 7(2)(3))
F7	Art. 112F(3) repealed (6.4.2007) by Work and Families (Northern Ireland) Order 2006 (S.I. 2006/1947 (N.I. 16)), arts. 1(3), 14(4), 17, Sch. 2 ; S.R. 2006/344, art. 4
F8	Art. 112F(6) repealed (6.4.2007) by Work and Families (Northern Ireland) Order 2006 (S.I. 2006/1947 (N.I. 16)), arts. 1(3), 14(4), 17, Sch. 2 ; S.R. 2006/344, art. 4
F9	Art. 112F(7) repealed (6.4.2007) by Work and Families (Northern Ireland) Order 2006 (S.I. 2006/1947 (N.I. 16)), arts. 1(3), 14(4), 17, Sch. 2 ; S.R. 2006/344, art. 4
F10	Words in art. 112F(8)(a)(ii) inserted (8.3.2013) by The Parental Leave (EU Directive) (Flexible Working) Regulations (Northern Ireland) 2013 (S.R. 2013/26), regs. 1, 2
F11	Art. 112F(9) repealed (5.4.2015) by Work and Families Act (Northern Ireland) 2015 (c. 1), ss. 19(4), 23(1), Sch. 2 ; S.R. 2015/86, art. 4(1)(g)(3) (with art. 7(2)(3))

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Act applied with modifications by [S.R. 2023/156 reg. 15](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Pt. 7A inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 1](#)
- Ch. 5 inserted by [2022 c. 27 \(N.I.\) s. 1\(1\)](#)
- art. 21(4B) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 2](#)
- art. 23(1)(zza) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 3](#)
- art. 70F inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 4](#)
- art. 70G inserted by [2020 c. 7 Sch. 7 para. 20](#)
- art. 71(1C) inserted by [2020 c. 7 Sch. 7 para. 21\(a\)](#)
- art. 72(8) inserted by [2020 c. 7 Sch. 7 para. 22\(b\)](#)
- art. 85ZS(3)(a)-(c) substituted for words by [2022 c. 18 \(N.I.\) Sch. 3 para. 47\(4\)](#)
- art. 95F(5A) inserted by [2016 c. 15 \(N.I.\) Sch. 2 para. 32](#)
- art. 135E inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 6](#)
- art. 135G inserted by [2020 c. 7 Sch. 7 para. 25](#)
- art. 137(6D) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 7](#)
- art. 137(7N) inserted by [2020 c. 7 Sch. 7 para. 26\(b\)](#)
- art. 140(3)(fj) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 8](#)
- art. 140(3)(fl) inserted by [2020 c. 7 Sch. 7 para. 27](#)
- art. 143(2)(ddd) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 9](#)
- art. 144(2)(ddd) inserted by [2011 c. 13 \(N.I.\) Sch. 3 Pt. 2 para. 10](#)