

*These notes refer to the Work and Families Act (Northern Ireland)  
2015 (c.1) which received Royal Assent on 8th January 2015*

# Work and Families Act (Northern Ireland) 2015

---

## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 4: Other Employment Rights: Miscellaneous**

##### ***Section 19: Flexible working: removal of requirement to be a carer***

*Section 19* removes the requirement that an employee must have parental or caring responsibility in order to make a request to an employer to change the employee's terms and conditions with respect to hours and location of work. The effect is to extend the right to request flexible working to all employees who have the necessary period of service (currently 26 weeks).

*Subsection (2)* repeals Article 112F(1)(b) of the ERO which requires an employee to be responsible for the care of a child or in certain cases a person over the age of 18 in order to make a request for flexible working. *Subsection (3)* repeals other provisions which are no longer necessary following the removal of the requirement to be the carer of a child or adult.

##### ***Section 20: Procedure for regulations as to prescribed amount of annual leave***

*Section 20* makes a technical amendment to Article 15 of the Work and Families (Northern Ireland) Order 2006 which empowers the Department, by regulations, to make provision conferring the right, except in prescribed cases, to a prescribed amount of annual leave in each leave year.

The amendment replaces the requirement for such regulations to be subject to the Northern Ireland Assembly's confirmatory procedure with a requirement for them to be subject instead to the draft affirmative procedure. This ensures that it will be possible to develop a single set of working time regulations and secure approval through a single Assembly process.