



Employment Rights Act 1996

1996 CHAPTER 18

PART XIV

INTERPRETATION

CHAPTER II

A WEEK'S PAY

Employments with normal working hours

222 Remuneration varying according to time of work

- (1) This section applies if the employee is required under the contract of employment in force on the calculation date to work during normal working hours on days of the week, or at times of the day, which differ from week to week or over a longer period so that the remuneration payable for, or apportionable to, any week varies according to the incidence of those days or times.
- (2) The amount of a week's pay is the amount of remuneration for the average number of weekly normal working hours at the average hourly rate of remuneration.
- (3) For the purposes of subsection (2)—
 - (a) the average number of weekly hours is calculated by dividing by twelve the total number of the employee's normal working hours during the relevant period of twelve weeks, and
 - (b) the average hourly rate of remuneration is the average hourly rate of remuneration payable by the employer to the employee in respect of the relevant period of twelve weeks.
- (4) In subsection (3) "the relevant period of twelve weeks" means the period of twelve weeks ending—
 - (a) where the calculation date is the last day of a week, with that week, and

Status: This is the original version (as it was originally enacted).

(b) otherwise, with the last complete week before the calculation date.

(5) This section is subject to sections 227 and 228.