

**Tips on demonstrating compliance to:
The National Employment Rights Authority (NERA)
by Gráinne Walsh**

The National Employment Rights Authority (NERA) is carrying out an ever increasing number of workplace inspections. In the first quarter of 2009, NERA's inspectors carried out a total of 4,570 inspections. This represents an increase of 32% on the same time last year. Of the 866 inspections relating to the Organisation of Working Time, 49% of companies were found to be in breach. Arrears due to employees totalling €471,300 were recovered.

As you are probably aware NERA was established by the Government in February 2007 as part of the social partnership agreement "Towards 2016" and the main objective of the authority is to secure compliance with employment rights legislation and to promote a culture of compliance in Ireland. NERA inspectors are authorised to enter places of employment, examine employment records and to interview employers and employees to assess compliance.

To demonstrate compliance to a NERA inspector, you must be in a position to produce the following records:

1. Your employer registration number with the revenue commissioners
2. The full name, address and PPS number for each employee (full-time and part-time)
3. A written statement of terms and conditions employment for each employee
4. Payroll details (Gross to Net, Rate per hour, Overtime, Deductions, Shift and other Premiums and Allowances, Commissions and Bonuses, Service Charges, etc.)
5. Copies of pay slips for each employee
6. Employees' job classification
7. Dates of commencement and where relevant, termination of employment
8. Hours of work for each employee (including starting and finishing times, meal breaks and rest periods)
9. Evidence of a register of employees under 18 years of age. The license is granted by the Department of Enterprise, Trade and Employment
10. Information on whether board and/or lodgings are provided for employees and relevant details
11. Holidays and Public Holiday entitlements received by each employee
12. Any documentation necessary to demonstrate compliance with employment rights legislation.

If you are unsure about your level of compliance, Clarigen consultants can carry out a cost effective and speedy review of your policies and practices.

**For further information on our HR Health Check or any HR matter,
Contact Clarigen: +353 (0) 1 470 7100, email: info@clarigen.com**