

KEEPING IN TOUCH

THE NEWSLETTER OF RICHARD GROGAN & ASSOCIATES SOLICITORS

Protection of Employees (Fixed-Term Work) Act 2003

One of the great strengths of the Act is that it enables an employee who is a fixed-term worker to claim equal rates of pay with permanent employees.

However the Act cannot be used outside the realm of fixed-term workers claiming equality with permanent employees to address other pay issues.

In *Railway Procurement Agency and Bell FTD097* is a case where the Labour Court held that the Act protects fixed-term workers and the claimants must be covered by that title or in effect that job position.

In *Dublin Port -v- McGrath* the Labour Court held that the Act cannot be called upon to correct anomalies and pay outside a fixed term standing. The legislation in Ireland protects fixed-term workers and ensures that they are not discriminated against as regards receiving a lower rate of pay than a permanent full time employee however the Act cannot be used to advance claims relating to difference in pay in respect of different employees.