

# CSNA NEWS



**JOHN PAUL LONERAGAN**  
National President, CSNA

## PRESIDENT'S OPINION

### Energy crisis has ability to afflict horrendous damage

These are without doubt the most troubling of times for our retail sector. The difficulties we have in Brexit-related and post-Covid problems have been entirely overshadowed by the unprecedented increases in our gas and electricity bills, coupled with the unsustainable additional costs of fuel for both our businesses and our customers purses.

The September Budget must provide immediate and meaningful reliefs if our sector is to survive; these are not scaremongering words, it is obvious from all the members who have contacted us about this issue that the energy crisis has the ability to inflict horrendous damage to our businesses.



**Retailers have been hit by unprecedented increases in gas and electricity bills**

## CSNA ADVICE

### Sick leave: Ensure your contracts and payroll provider are ready for change

The Irish government recently brought in significant changes to leave entitlements for employees with the introduction of a statutory sick pay scheme.

The Sick Leave Act, 2022 ('2022 Act') was signed into law on 20 July 2022 and is awaiting a Ministerial Order for commencement which is expected very shortly.

#### What has changed with the introduction of a statutory sick pay scheme?

The 2022 Act introduces a statutory sick pay scheme into Ireland for the first time. This brings Ireland in line with other EU countries and the UK where such schemes are the norm. The scheme introduces paid sick leave on a phased basis with the entitlements increasing over a four-year period.

The 2022 Act introduces a statutory entitlement to paid sick leave for up to three days a year with the entitlement increasing a year later to five days paid leave, after another year to seven days paid leave to and, finally, after a further year, 10 days paid leave most likely in 2026.

The employer will be responsible for paying up to 70% of the



**The CSNA will provide a suggested template for inclusion into employment contracts once the new sick leave regulations are published**

employee's normal wages throughout their leave, up to a daily maximum of €110.

#### Are all employees eligible?

In order to be eligible for statutory sick leave, an employee must have completed thirteen weeks continuous service and have provided a medical certificate signed by a registered medical practitioner.

#### What other obligations are on employers?

The 2022 Act includes reporting

obligations and requires employers to keep records of all employees availing of statutory sick pay for four years. If an employer fails to keep such records, they will be guilty of an offence and liable to a class C fine.

#### What should employers do?

The 2022 Act applies to all employers in both the public and private sector and regardless of the size of the organisation. Where an employer fails to introduce the statutory sick pay scheme, a complaint can be brought to the Workplace Relations Commission. It is important that employers update their employment policies to set out an employee's right to statutory sick pay and ensure management and HR personnel are adequately trained on these changes. Employers should ensure that their policies clearly state the statutory sick leave entitlements of employees and the rate of pay available to them. Employers should also ensure they have a record keeping system in place to record employees on paid sick leave.

The association will be providing a suggested template for inclusion into employment contracts once the regulations are published.

## CSNA TIP

### Has your retail premises been served with a personal injury claim by a customer?

If a customer trips or falls in your shop, they are entitled to request a copy of the CCTV of the incident. Think before you provide copies of CCTV footage to a customer.

As the shop owner, it is your responsibility to remove the personal data of every other person who appears in the footage by blurring or redacting their identity. There are specialist companies who can assist you in this matter. Under GDPR you only have 30 days to comply.

Many firms of solicitors are happy to add breaches of GDPR to their letters outlining the "hurt, pain, humiliation and suffering" their client incurred whilst in your store. Do not rush into forwarding copies

without protecting yourself from additional claims. We have secured favorable terms with Datascan for this and several other data security products.

It is quite possible that you may receive a request from either an existing or past employee, or a customer seeking access to written data regarding interactions that you have had with them. Sensitive data that does not belong to the "requestor" should be removed from any documentation before you comply with an access request.

If you need video footage enhancement for criminal investigations, Datascan can and will give assistance.

Further details are available from



**Ensure you never forward copies of CCTV footage without protecting yourself from additional claims**

info@datascan.ie and 01 806 8531; ask for Orla Cafferty and remember to tell them that you are a CSNA member.

IF YOU WISH TO **JOIN THE CSNA**,  
PLEASE CONTACT THE ASSOCIATION ON **045 535050**



## CSNA NEWS

### Association meets Postpoint to discuss Leap cards

Following the disclosure earlier this month that An Post had successfully tendered for a five year exclusive retail distribution contract for the Leap transport offering, the association was keen to ensure that the interests of those CSNA members currently selling Leap products would be represented.

In truth, there are several aspects of the new arrangement that have yet to be finalized and as such, our meeting did not conclude with any specific take away other than a solid commitment from PostPoint to further engage in advance of any firm decisions.

At the moment, a basic series of telephone contacts are being made to existing Payzone agents that are listed as Leap retailers to ascertain whether they would continue to sell



**PostPoint has given the CSNA a solid commitment to engage with the association in advance of any firm decisions regarding Leap cards**

the product after the changeover

Given that the tele salesperson cannot provide any contractual information regarding deposits, terminals/ printers/ rolls, exclusivity, margins, or operational dates, it cannot be considered a particularly useful method of customer

engagement, in our opinion.

When we met PostPoint, a number of details were disclosed including an acceptance that the commercial needs of retailers as PostPoint customers were every bit as important as those of the end user of the products.

Leap cards have a finite retail sales value; the physical offering will no doubt be rapidly subsumed into a model that will avoid any retailer interaction, as is the case of most modern rapid transport systems. The credit/ debit card contactless payment at the point of transit departure will be rolled out by the NTA and they won't care one bit for the retailer or the distributor- that's the reality.

In the meantime, whether it is for five years or more, it's incumbent

upon PostPoint/An Post to ensure that any existing Payzone agent that wishes to continue to sell Leap cards will not have unfair, uncompetitive or discriminatory barriers put up to discourage or dissuade the retailer from doing business with the new distributors.

As an association, we will continue to advocate for all our members, but it must be pointed out that if the existing 1,000 Payzone Leap sellers, the 920 post offices and the 1,600 PostPoint agents all elected to sell the products, the cost would be astronomical, the return for all parties would be derisory and a publicly funded infrastructure would once more be mired in waste and overspend.

## CSNA NEWS

### A Lotto satisfaction

CSNA is delighted to welcome the announcement from Premier Lotteries Ireland (PLI) that auto activation on scratch cards is being implemented from early September 2022.

This news will come as a welcome relief to the network in general and particularly to the many agents who have fallen foul of the penalties imposed by PLI for numerous breaches of the non-activation rule. In many cases our members suffered the embarrassment and penalty of five days trading with no Lottery products.

CSNA have always seen this rule as unfair and sought a solution to it from its inception. Through many high-level discussions and through our representation on The Lotto Users Council, we have consistently strived to help reach a solution which is reaching fruition now.

This change will eliminate almost 95% of previous reasons for breaches of PLI rules and will be seen as righting a wrong. The current number of "strikes" against an agent will still stand but should see these disappear over a period of time. One point to bear in mind though is that your inactivated stock, previously holding no value,



**The CSNA has welcomed PLI's decision to introduce the 'auto activation' of scratch cards**

must now be treated as valuable and expensive product, similar to tobacco and alcohol and should be kept in a secure and locked area until required for sale

Also, while an inactivated ticket that is presented in another store may no longer incur penalties, it would be desirable that you continue to activate in-store for best practice and record keeping. PLI will not automatically inform you of any books activated elsewhere but you can seek that information on request if you suspect you may have an issue.

## CSNA ADVICE

### Irish Water: CSNA seeks meeting to raise queries on billing methodology and leak fixing protocols

In the past few weeks, several members have contacted us regarding what they consider to be anomalies in recent bills.

The default pricing is to charge for the same volume of water leaving the premises as wastewater as that that is metered going into it, with a variable charge applied depending on volume.

As all retailers with delis and coffee docks are aware, much of the water purchased and used in their business does not remain on site and could not, therefore, be returned as wastewater. Many forecourts have motorists taking water for their vehicles and other purposes.

Some retailers may be aware that IW has a scheme in place to have a variable applied once it can be demonstrated that the volume out is at minimum 15% less than volume in; we provide some additional detail but will also be in further contact with all members subsequent to our meeting.

We will also seek clarification on what we would consider to be a very loose and ultimately self-incriminating requirement from IW on the process necessary to have credit applied for losses due to leaks.

If there are any other aspects of your business interactions with IW that you would like your association to raise, please contact us. ■



**Please contact the CSNA if there are other aspects of your dealings with Irish Water that you would like the association to raise**