

**GENERAL
INFORMATION
ON YOUR RIGHTS
AT WORK**



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Wage

National Minimum Wage

In the UK it is ILLEGAL for people to be paid less than the National Minimum Wage (NMW). If your boss pays you less than the minimum, you can report them.

The NMW depends on your age. It also gets updated on 1st April every year. Your boss MUST pay you the new rate for all work done from 1st April or they are breaking the law.

	25 AND OVER	21 TO 24	18 TO 20	UNDER 18	APPRENTICE
Current rates (hourly)	£7.20	£6.95	£5.55	£4.00	£3.40
from April 2017	£7.50	£7.05	£5.60	£4.05	£3.50

Payslips

Your boss MUST give you an accurate payslip every time you are paid. The payslip must show your name and National Insurance number. It must also show your total “Gross” pay, any deductions that are made for tax, pension or other things, and then it must show the “Net” amount you will actually get paid in cash or into your bank account.

If your boss does not give you a payslip with all these things, or the “Net” figure does not match what you are actually paid, your boss is breaking the law.

Trial Shifts & Deductions

In some jobs in cafes, shops and restaurants, it has become normal for bosses to insist you do a “trial” (without pay) so they can see if you can do the job. This should usually only be for a few hours, or 1 shift. If your boss asks you to do 2 days or more as a ‘free trial’ they are a bad boss!

Also, some bosses will ask you for a deposit, for kit, or for training, and sometimes this will be deducted from your pay, or ‘held back’ until you have worked there for a few weeks, or months.

Bad Bosses will exploit this, so beware! You should have always agreed any deductions in your contract (they should not be a surprise), you should know how much is going to be deducted, for how long and why, and all deductions should be listed on your payslip. If they are not, contact your union immediately.



Discrimination

If you are treated badly at work because you are different to your boss or other workers, this is called “discrimination”. The law protects people from discrimination on the following grounds (called “protected characteristics”):

- Age (old or young)
- Gender (Male, Female)
- Being married or in a civil partnership
- Being or becoming a transsexual person
- Being pregnant or on maternity leave
- Disability (physical or mental)
- Race including colour, nationality, ethnic or national origin
- Religion, belief or lack of religion/belief
- Sexual orientation (e.g. lesbian, gay, bisexual, etc)

If you are being discriminated against because of these reasons, you should immediately contact your union, ACAS, or the Citizens Advice Bureau (CAB).

Health & Safety

UK Law says that your boss MUST do their best to make sure there are no risks to your health or safety while you do your job. The boss should make sure you have information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, your health and safety.

This relates to any physical injury or illness you may have which is work-related, or to mental health problems – such as stress, depression, anxiety – caused by bullying or other behaviours in the workplace.

For more detailed information on work-related health, safety and illness-related information in your sector, the Health and Safety Executive (HSE) has very good resources.

Go to www.hse.gov.uk and click on Guidance / Industries and search for your industry/sector.

Contracts

Before you start work (or within the first 2 months at the latest), your boss MUST give you a contract or a “statement of particulars” that tells you about the job. The MINIMUM they have to provide should include:

- The name of the company you are working for and their address.
- Your name, a job title or job description.
- When & where you will work (e.g. weekends, evenings, shifts).
- How much you will be paid and when.
- How much holiday you will get, and how Public Holidays will be taken or paid.
- Whether the job is temporary or permanent (and when it will end if temporary)
- Pension information, and information on any agreements with unions.
- Who to go to if you want to make a formal complaint (“put in a grievance”)
- How much “notice” you need to give the boss if you want to leave, and how much they need to give you.

As well as this, good employers will give you an “employees handbook” which has lots more information about what they expect you to do, and what you can expect from them.

Different types of employment give different levels of protection by



Problems at work and how to submit a grievance

Types of Contracts

the law. If you work for the same company for more than 2 years, you also get more protection.

Here are the types of employment, with some information on the differences between them. **THE LAW, NOT YOUR BOSS, DECIDES WHAT TYPE OF EMPLOYMENT YOU ARE**, so even if your boss tells you “you are self-employed”, it may not be true!

Employee: your contract is directly with the company. This is the best situation as you have more rights provided by the law.

Worker - also known as “freelance”, “zero hours”, “casual”. You have a boss, the company deducts National Insurance & PAYE from your wages, they tell you when & where to work, they provide tools, uniform and equipment. You can't send someone else (“sub-contract”) to do the job instead of you.

Agency Worker - like a worker, but you are given work

via an agency. The agency pays you & tells you when and where to work, but your boss may be from the ‘client’ company you work for, and that company provides you with tools, uniform or equipment. The client cannot dismiss you, but they can instruct the agency to dismiss you.

Self-Employed: also known as “contractor” or “sole proprietor”. You decide who you work for and when, you don't get wages (you charge the company for the service you provide), you can hire someone else to do the work and then pay them yourself.

Many bad bosses will pretend you are self-employed, when the law says you are a Worker. They do this because it is cheaper for them. Check with your union or the CAB if you are not sure if you are self-employed or a Worker.

Whenever you have a problem at work, it is always advisable to try to resolve things informally first, by talking to your manager(s) and/or to the people involved. If this doesn't resolve the problem, you can make a formal complaint – this is called a “grievance”.

Your employer should have their own grievance procedure, and should give you information about this when you started work – normally this is included in the “employee handbook”.

However, the general guidelines to submit a grievance are the same. You should first of all write to your employer (a letter normally, but it can be an email). Once your letter has been received your employer should arrange a meeting within a reasonable time. If you are a union member you have a right to be accompanied by your union representative at this meeting, or a work colleague.

After the meeting, your employer should write to you to inform of the decision they have made. If you are not happy with this decision, you can appeal against it.

The Citizens Advice Bureau has very useful resources to help you write a grievance letter: go to www.citizensadvice.org.uk > Work > Problems at work > What to do if there's a problem at work.



Useful Links

“Working in the UK”

- <https://www.tuc.org.uk/workingintheuk> -

This website has information about working in the UK translated into 13 languages.

The UK Government website

- <https://www.gov.uk/>

The Citizens Advice Bureau (CAB)

- <https://www.citizensadvice.org.uk/> -

Independent advice on employment, benefits, housing and lots of other subjects.

Advisory, Conciliation & Arbitration Service (ACAS)

- <http://www.acas.org.uk/> -

They are the ‘referee’ between employers and employees, and make the rules (but not the laws).

Please note that this handout should be taken as general background information and not as legal advice for your particular situation.

- [iww.org.uk](http://www.iww.org.uk) -