

## Working week

You have the right not to work more than 48 hours a week on average. This limit is averaged over a 17-week period. This means that it is legal to work more than 48 hours in some weeks, so long as this is balanced out by weeks in which fewer hours are worked, making an average of not more than 48 hours over the whole 17 weeks.

You can sign away this right, but cannot be pressured to opt out, and can opt back in again at any time- though you may have to wait for up to three months to gain protection.

Employment law can get complicated. This leaflet is not a legal document, but rather attempts to offer accessible and easy-to-read help and advice. You should therefore not rely on it as legal advice, and should always seek further advice based on your own situation before taking any action.



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### Employment Agency Standards Inspectorate

If your agency is treating you badly and you think it might be breaching the law you can report it to the government office that regulates agencies.

Tel. 0845 955 5105

### Advisory, Conciliation and Arbitration Service (ACAS)

ACAS is a public body that promotes good workplace relations. Their national helpline answers employment questions and provides general advice on rights at work for employees and employers.

Tel. 08457 47 47 47

### How to contact Phil Hope MP

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# Government Support for Agency Workers



## A guide providing help and advice for those undertaking agency work



I have pressed the Government hard to improve employment rights for agency workers or 'temps'. If you're an agency worker it's important to know your rights and the rules about the way agencies should treat you.

Amongst other things, you are now entitled to paid holiday, rest breaks, a minimum wage and limits on your working time. I hope this guide will provide some useful advice and information on these and some of the other entitlements that are available to you.

My contact details are on the back of the leaflet so if you have any suggestions about what more the Government could do to further improve employment rights, or you have any other issue you wish to raise, please do not hesitate to contact me.

Phil Hope  
Member of Parliament for Corby and East Northamptonshire

## National Minimum Wage

This is the minimum amount that you can be paid for each hour that you work. There are different minimum wage rates for different groups of workers as follows:

- The main rate for workers aged 22 and over is currently set at £5.05 an hour. On 1st October 2006 this will increase to £5.35
- The development rate for 18-21 year olds is currently set at £4.25 an hour. This will increase to £4.45 on 1st October 2006
- The development rate for 16-17 year olds is £3.00 an hour. This will increase on 1st October 2006 to £3.30 an hour

## No Fees

An employment agency cannot charge you a fee simply for finding you work or putting you on their books.

An employment agency cannot insist that you buy other products or services such as CV writing, training or personal protective equipment as a condition of using the work-finding services of the agency.

Employment agencies are meant to make their money from employers who need workers, not from those seeking work!

## Representation

You have the right to be accompanied at a workplace disciplinary or grievance hearing by either a trade union representative or a colleague.



## Union membership

You are allowed to join a union and you do not have to tell your employer if you are a member. You cannot be discriminated against for being a union member.

## Getting Your Wages

An agency cannot withhold your pay simply because they have not received their payment from the company or organisation where you worked, or because you cannot produce a signed time sheet. Where the hiring company refuses to sign a time sheet, it is the Agency's responsibility to establish the hours that you actually worked. You should be paid for these.

## Rest breaks

You have the right to a rest break of 20 minutes where your working day is longer than six hours. If you are under 18, however, you are entitled to a 30-minute break after working four and a half hours.

## Holidays

You should receive four weeks paid annual leave. As an agency worker, your hours and pay may vary considerably over time. If this is the case, your earnings over the most recent 12-week period are divided by the hours worked over the same 12 weeks to give you an average hourly rate and this is used to determine your holiday pay. If you did not do any work at all in one or more weeks, you simply discount that week and move to the week immediately before it until you have a total of 12 weeks' work and pay on which to work out your average hourly rate.