

Know your workplace rights

A young worker education and empowerment project



PAY

All workers must be paid at least the National Minimum Wage (NMW). As of April 2024 this is:

- Under 18 and apprentices - £6.40.
- 18 - 20 years of age - £8.60 per hour.
- 21 and over - £11.44 per hour.

Apprentices - if you are 19 or over and have completed the first year of your apprenticeship, you're entitled to be paid at least the minimum wage for your age.



Holiday pay

If you work full time you have a right to at least 28 days of paid holiday a year (this is the equivalent to 5.6 weeks and includes bank holidays).

If you work part time, you have a right to a proportion of this based on the hours you work.

If you work irregular hours or part of the year you will accrue paid holidays as you work, up to a maximum of 28 days per year.

Your contract may state that you are entitled to more than the statutory holiday entitlement. This is referred to as contractual holiday entitlement.



SICK PAY

If you are off sick, you have a right to Statutory Sick Pay (SSP) if you:

- Have an employment contract and have done some work under the contract.
- Been off sick for at least 4 days in a row.
- Earn an average of at least £123 a week (before tax).
- Have notified your employer of your sickness.

As of April 2024, SSP is £116.75 per week.



HEALTH AND SAFETY

All employers have a duty to provide a safe workplace.

By law, an employer must do all they reasonably can to protect the health, safety and wellbeing of all employees.



WORKING HOURS

All workers have a right to:

- A break of at least 11 hours in between working days.
- A break of 24 hours each week or 48 hours each fortnight.

If you are under 18:

- Your employer must ensure you do not work more than 8 hours a day or 40 hours a week.
- You have a right to a break of at least 12 hours in any 24 hour period.
- You have a right to a break of at least 48 hours each week.



BREAKS

All workers have a right to a 20 minute break after 6 hours of work.

If you are under 18, you are entitled to a 30 minute break after 4.5 hours of work.



EQUALITY

You cannot be treated unfairly or discriminated against in the workplace because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

Employers are legally required to make reasonable adjustments. Reasonable adjustments are changes an employer makes to ensure a worker with a disability is not disadvantaged at work.

Sexual harassment is unwanted behaviour of a sexual nature. Employers are legally responsible for preventing sexual harassment in the workplace and must ensure that any complaints of sexual harassment are taken seriously.



NIGHTWORKING

The night time period is between 11pm and 6am. You are a night worker if you usually work at least 3 hours a day during this period.

If you are a night worker, your employer must ensure you do not work more than 8 hours in a 24-hour period.

You cannot opt out of this limit, including for overtime.

If you are under 18 - your employer must ensure you do not work during the 'restricted period'. This is between 10pm and 6am (or between 11pm and 7am if your contract allows you to work after 10pm).

You can work until midnight or from 4am onwards if it's necessary in the following types of work: advertising, agriculture, a bakery, catering, a hospital or similar, a hotel, pub or restaurant, post or newspaper delivery or retail.

But this is only if:

- There are no adult workers available to do the work.
- Working those hours will not have a negative effect on your education or training.

It's against the law for you to work between midnight and 4am, even if you do one of the jobs above.



CONTRACTS

As an employee you have a right to a written statement of employment particulars from day 1 of employment.

This will outline the main terms of your employment, such as pay and working hours.

Employment contracts and written statements of employment particulars cannot reduce legal minimum rights, but can enhance them.



DISMISSAL

Dismissal is where an employer ends an employees contract.

The employer must use a fair and reasonable procedure to decide whether to dismiss someone.

If you have worked for your employer for over 1 month, you have a right to the legal minimum notice period. This is at least:

- 1 weeks' notice if you have been employed for between 1 month - 2 years.
- 1 weeks' notice for each full year you have been employed if you have been employed for between 2-12 years.
- 12 weeks notice if you have been employed for over 12 years.



APPRENTICES

Apprentices have the same minimum employment rights as other employees, including working hours and rest breaks.

Additionally, apprentices must spend at least 20% of their working hours completing off the job training/education.



TRADE UNIONS

You have a legal right to join a trade union and you are under no obligation to inform your employer of this.

It is illegal for your employer to disadvantage, discriminate against, harass or dismiss you for being a trade union member.

Find out more about joining a union: <https://www.tuc.org.uk/join-a-union>