

# Starting work - a guide to employment rights

When you first start work you are likely to need to know about a few things around your employment rights - this leaflet aims to help you understand your rights and your responsibilities.



## Time off for Study or for Training

If you are 16 or 17 years old and have few qualifications you could be entitled to paid time off from your employer to gain qualifications. If you do not have a Level 2 qualification, for example 5 GCSEs grades A\*-C, you could improve your skills and gain a qualification which will help you in the future.

Click onto the 'It's your choice' pages on the Directgov website at [www.direct.gov.uk/en/EducationAndLearning/14To19/OptionsAt16](http://www.direct.gov.uk/en/EducationAndLearning/14To19/OptionsAt16) or see the Connexions leaflet **The Right to Time Off for Study or Training** for more information.

## National Minimum Wage

The minimum wage is a legal right which covers almost all workers above compulsory school leaving age. It generally increases every year on 1st October. The rates from 1st October 2008 are:

Ages 16 and 17	£3.53 per hour
Ages 18-21	£4.77 per hour
Aged 22 and over	£5.73 per hour

Apprentices under age 19 do not qualify for the national minimum wage.

Apprentices over age 19 and in the first 12 months of an Apprenticeship do not qualify for the national minimum wage.

Employed Apprentices must be paid at least £80 per week. This will rise to a minimum of £95 per week from August 2009.

For further information call the National Minimum Wage Helpline on 0845 600 0678 or click onto the HM Revenue and Customs website [www.hmrc.gov.uk/nmw](http://www.hmrc.gov.uk/nmw).

## Contracts and written statements

Employers legally must provide a written statement outlining the main terms of employment within eight weeks of your start date - even if you will only be working for them for that length of time. The statement - which could be the letter offering you the job - must include:

- Your name and the name of the employer
- Your start date
- Your rate of pay and when you will be paid
- Your job title or a brief job description
- Your hours of work and any overtime that may be required
- Your sick pay and holiday entitlements
- Your place of work
- The length of notice required to terminate employment
- Information about disciplinary and grievance procedures
- Information about any collective agreements that may affect your employment terms or conditions
- Information about pensions and pension schemes
- If you are not a permanent employee, the statement should tell you how long your employment is expected to continue, or, if you are a fixed-term worker, the date your employment will end

If your employer does not offer something in the list (such as a pension scheme), they must say so in your written statement - the employer cannot just leave it out. The written statement must be clear and correct. You cannot be dismissed for asking for a written statement.

There is no requirement on the employer that a complete written contract be issued, however it is beneficial to have a written contract to ensure everything is understood by both sides.

## National Insurance and Income Tax

When you are 16 you will be given a National Insurance Number. It is your unique number so make sure you keep it safe - you will need it when you start work. If you are aged between 15 years and 9 months old and 20 and have not yet received your National Insurance number, call the National Insurance Registrations Helpline on **0845 915 7006** between 8am-5pm, Monday-Friday.

You will pay National Insurance Contributions if you work and earn more than around £95 per week (this threshold will rise every year). The money will be taken from your salary by your employer. Your contributions go towards any pension and benefits you may be entitled to in the future. The amount you pay will depend on how much you earn.

You may also pay Income Tax. Your local tax office will give you a tax code which tells you how much you can earn before you pay any income tax. For the tax year from April 2009-March 2010 your personal allowance - the amount you can earn in a year without paying any tax - is £6,475, around £124 per week. Tax is taken from the rest of your salary. The current amount you will pay in tax is 20% of your pay after your tax allowance.

At the end of each tax year you will receive a P60 form which tells you how much you have earned and how much tax you have paid that year. You must keep your P60s in a safe place. If you leave a job you need to get a P45 form from your old employer which shows your tax payments. Your new employer will need this to make sure they take the correct amount of tax from your wages.

Your local tax office will answer any questions you have and more information about Tax and National Insurance can be found at the HM Revenue and Customs website at [www.hmrc.gov.uk](http://www.hmrc.gov.uk).

## Pay Slips

Each time you are paid your employer must provide a written or printed payslip which must show:

- Your name
- Number of hours worked
- Gross pay and Net pay (your take home pay after all deductions)
- Any National Insurance contributions or Income Tax paid
- The amount of money that has been taken from your salary for any other reason such as pension or union membership
- Any statutory sick pay you may have been paid

You need to keep your pay slips because you may need to prove how much you earn.

## Working time regulations

If you are under 18 you are classed as a young worker and there are special regulations and protection around the hours you are allowed to work. These are set out in the Working Time Regulations and are different to those for adult workers:

- You cannot work more than 40 hours a week
- You cannot work more than eight hours a day
- You cannot work at night, usually between 10pm-6am but sometimes between 11pm-7am
- You must have 12 out of every 24 hours off work
- You must have two days off each week, which should be together
- You must have a 30 minute break if you work for more than four and a half hours at a time.

If you are under the compulsory school leaving age and want to work part time while still at school there are also special regulations. See the Connexions leaflet **Working while still at school** for more information.

## Annual Leave

Currently you are entitled to 5.6 weeks' holidays time with pay - at least 28 days paid holiday for employees working five days a week. This is worked out on a pro-rata basis for part time workers.

You might have to take public holidays such as Christmas, Easter and Bank Holidays from your entitlement but this should be set out in your contract or written statement. Employers may specify exactly when you can take your holiday.

When you leave a job, you should get paid for any holiday you have not taken. You will continue to be entitled to your holiday leave throughout any ordinary and additional maternity leave and paternity and adoption leave.

## Health and Safety

An employer has a responsibility to look after your health and safety at work, so you should be told about any risks that you may come across in your place of work and where safety equipment is. Your employer should make sure that you are fully trained to carry out any duties safely and provide you any special clothing or protective equipment required to do the job.

You also have health and safety responsibilities as an employee so make sure you follow instructions, do not put yourself or others at risk of injury and report any concerns, accidents or injuries to your manager.

## Harassment, bullying and discrimination

All employees are entitled to work free from discrimination and bullying, no matter how long you have been working there. There are laws that protect you, regardless of your age, gender, race, religion and sexuality. If you feel you are being discriminated against at work, tell your manager or another trusted colleague as soon as possible.

## Leaving work

If you want to leave your job, you need to tell your employer beforehand. Your contract or written statement will tell you how long beforehand you need to let your employer know, that is how much notice you need to give your employer.

If your employer wants you to leave your job, you should be given at least one week's notice or you should get at least one week's pay, unless you have done something very serious. You might have problems claiming benefit if you are sacked for doing something serious or if you leave your job without a good reason.

## What to do if you are having problems at work

If you experience problems at work, there may be a procedure already in place to deal with these such as a grievance procedure. You may first want to take them to your manager or supervisor, or talk to someone in a Personnel or Human Resources Department if your employer has one. If you are still not satisfied, or feel you have been unfairly treated, you could contact your trade union, local Citizens' Advice Bureau or ACAS who may be able to help you.

ACAS can be contacted on **08457 47 47 47** or visit **[www.acas.org.uk](http://www.acas.org.uk)**.

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