

You have rights as a young worker

You can leave school on the last Friday of June of the school year in which you turn 16. If you are a worker who is over school leaving age, but under 18, you are a “Young Worker”.

When you get a job you have a number of legal rights at work. We’ve outlined some of these rights in this factsheet.

Time off For Study

Young workers who are not qualified to Level 2 (equivalent to 5 GCSEs grades A-C), have the right to reasonable paid time off, during normal working hours, to study or train for an approved qualification at Level 2.

Contract of Employment

An employment contract is a legally binding agreement. If you are offered a job and you accept it then a contract is formed.

The whole contract does not have to be written down. You should, however, be given a written statement of your main terms and conditions of employment, within 2 months of starting work.

This statement should include the following information:

- Your name and your employer's name
- The date when your employment began
- The address of your workplace
- Any previous employment that counts as continuous employment
- Job title (or a brief description of the work)
- Rate of pay and when you are paid
- Hours of work
- Holiday entitlement, including holiday pay
- Sickness scheme*
- Pension scheme*
- Notice arrangements
- Grievance/disciplinary procedure*
- If a fixed term contract, the expiry date
- Any trade union agreements affecting the terms and conditions

* Most contracts will mention these, referring to more detailed additional information in other documents - make sure you are given copies of all of the information.

Wages

There is a National Minimum Wage payable in the UK. The hourly NMW rates relate to pay before stoppages and any deductions.

Current rates (October 2008 - October 2009)

- 16 - 17 £3.53
- 18 - 21 £4.77
- 22+ - £5.73

There is a minimum wage helpline you can call on 0845 6000 678 for advice.

You **DO NOT** qualify for the NMW if you are:

- an Apprentice below the age of 19, or during the first 12 months of your Apprenticeship if you are below the age of 26*
- a student on placement
- a trainee (without worker/employee status) on a Government or European funded training course
- a family worker - living with family and performing household tasks; living with family and working in the family business; living with another family and performing household tasks, i.e. a nanny, au pair etc.
- in the Armed Forces
- a volunteer worker, unless you receive a regular or fixed allowance for your voluntary work
- performing work in exchange for accommodation and benefits provided by a charitable organisation where you were previously homeless and in receipt of Income Support or Jobseekers Allowance

*It is **recommended** that Apprentices on Employer Led Apprenticeships receive a minimum wage of £80 per week. (This goes up to £95 from 1st August 2009.) This recommended minimum wage for Apprentices does not apply to those on e2e or other work based learning options such as Programme Led Apprenticeships.

How wages are paid

You will normally be told before you start your job how you will be paid. Usually wages are paid either weekly or monthly and often they are paid in arrears. This means you have to work for a week or month before you get your first payment.

Most employers pay wages into a bank account. You will need to open a current account if you don't already have one.

Deductions from your wages

When you get paid for the first time, you may find you pick up less money than you expected. This is because your employer can make deductions for a variety of reasons - the main examples being Tax and National Insurance (these are known as stoppages).

Gross pay is what you earn before any stoppages; net pay is what you actually take home. You must get an itemised pay slip which shows gross and net pay and list all stoppages. You are entitled to an itemised pay slip each time you are paid. This must show gross wages (before stoppages) and any deductions.

Hours of work:

If you have reached school leaving age but are not yet aged 18 you are not permitted to work more than 8 hours per day. You are also not allowed to work more than 40 hours per week. You should also be given at least 2 days off work a week.

If you are aged 18 or over, you should not be expected to work more than 13 hours in any one day. You should also be given at least 2 days off work a fortnight. You cannot be required to work more than 48 hours a week. This can be averaged over a 17 week period. If you want to work more than 48 hours a week you can agree to this, so long as you put this in writing.

Night work:

If you have reached school leaving age but are under 18, you are prohibited from working between the hours of 10.00pm - 6.00am (or 11.00pm - 7.00am where you are contracted to work after 10.00pm). However, there are exemptions from this restriction. There is a general ban on young workers working between 12.00am-4.00am although the restriction can be lifted in some cases.

If you are over 18, you should not normally work more than 8 hours in any 24-hour period. However, the 8 hours are an average taken over a 17-week period. Your employer must offer a free health check before you do any night work. They must also provide proper supervision.

Paid holidays

From 1st October 2007 the statutory minimum annual holiday entitlement rose from 4 weeks (20 days for those working a 5 day week) to 4.8 weeks (or 24 days) Part time workers get a proportion of the time.

From 1st April 2009 all workers will be entitled to 5.6 times their usual working week capped at a maximum of 28 days.

Employers can set the times when you take leave. If you can choose when you take your leave, you have to give your employer advance notice of when you want it. Bank Holidays might be included but many workers get these as extra. Make sure you ask about this and understand what you are entitled to.

Further detailed information about the legal rights of workers is available at:

- www.acas.org.uk
- www.adviceguide.org.uk

To contact Connexions call us freephone on 0808 100 1980