

Briefing

Know your Rights at Work!

DECENT WORK FOR ALL



Ask yourself....

- 1 Do you have a wage you can live on?
- 2 Do you have work that is safe and secure?
- 3 Do you have guaranteed hours each week so you can plan your life?
- 4 Do you have training, development and career opportunities?
- 5 Do you have a collective voice and union representation at work?

And if the answer is 'no', then do you want to change it?

We think you should be able to answer 'yes!' to the 5 questions above, but growing numbers of workers cannot. But by campaigning together we can win decent work for all.

Find out what your basic rights at work are

Below is a brief outline of some of the most basic rights at work on pay and hours – but please be aware it is not comprehensive and employment rights are a complicated area. If you are unsure of your rights you should seek advice.

- If you are a member of a trade union you should contact your trade union.
- You can get an outline of basic rights at work on the TUC website, at www.bit.ly/TUCbasicrightsatwork.
- If you need a translation of basic rights at work, visit <https://www.tuc.org.uk/workingintheUK> which is available in English and twelve other European languages.
- You can telephone the Pay and Works Rights number: 0300 123 1100, telephone charges do apply but the advice is free and if needed translation is also available for 100 languages.

Zero hours and short hours contracts are unfortunately currently legal. However, just because it is legal doesn't mean you can't try and change it. If you want to try and make your workplace

better it can be difficult, but all campaigns start small, by talking to others to see if they feel the same and bringing together a group – maybe just a couple of people to begin with– that can get things kick-started. We have listec campaign resources that you may find useful further down.

Pay

- You cannot opt out of the National Minimum Wage (NMW) - even if you or others have agreed with your employer, in writing or in conversation. Any such agreement is invalid.

You can check the current NMW rates at www.gov.uk/national-minimum-wage-rates

- Some people are not entitled to be paid at least the NMW – for example, people who are self-employed, volunteers, people on work experience and people on Government employment programmes. Check www.bit.ly/TUCbasicrightsatwork for a full list.
- For an explanation of how to work out if you and your colleagues are being paid at least the NMW go to the 'National Minimum Wage' section at www.bit.ly/TUCbasicrightsatwork.
- Some payments must be 'on top' of people receiving the National Minimum Wage; such as tips and gratuities and some extra payments that might be in your contract, such as for unsocial hours or risk payments for dangerous work. Check www.bit.ly/TUCbasicrightsatwork for more information.
- Increasingly, people are being made to work for free in order to receive their benefit. People should be paid for the work they do and employers should not receive free labour like this.

You can find out more about how to stop this happening in your workplace at www.unitetheunion.org/campaigning/workfare/ and Unite Community www.unitetheunion.org/community which organises people outside of waged work.



@Decentwork4all



Decent work 4 all #fightfor5

www.unitetheunion.org/decentwork4all

Deductions from Pay

- There are some deductions that your employer can make from your wages, and others which they cannot. No deductions can be made for any meals or other refreshments your employer provides and no deductions can be made for protective equipment that you need to do your job safely. See www.tuc.org.uk/pay-guidance for detailed information.
- Some employers will ask you to agree that they can deduct the cost of uniforms or tools from your wages. They would need to put this in your contract and you have to agree to it before they can do it. This is an example of where even though it may be legal, it is certainly not fair and may be what you consider campaigning around.

Hours of work and leave

Unless you are self-employed, you are entitled to the following;

- You have the right not to work more than 48 hours a week on average.
- If you are employed on night shifts you shouldn't work more than eight hours at night every 24-hours.
- A rest break of 20 minutes where you are working longer than six hours. If you are under 18 you are entitled to a 30-minute break after working four and a half hours.
- A right to annual leave and to be paid while you are on annual leave.
- Visiting www.bit.ly/TUCbasicrightsatwork can help you work out your minimum leave entitlement.

Right to join a trade union and to be accompanied

- Everyone has a right to join a trade union and it is illegal for your employer to treat you unfavourably because of your trade union activities.
- All workers and employees have the right to be accompanied by a union representative, union official or a colleague at formal disciplinary and grievance meetings at work.

Other rights at work

- You also have rights at work around sick pay, maternity and paternity leave and you have the right not to be discriminated against because of your gender, race,

ethnicity, religion, sexuality, disability, age or gender identity.

If you are concerned about bullying, harassment or discrimination at work there is advice in the *Unite Zero Tolerance for Bullying and Harassment – Dignity at Work* guide at www.unitetheunion.org/equalities

You don't have to go it alone!

Being part of a trade union like Unite means you and your colleagues organising together to make things better at work by having a say on things that matter, like your pay, hours and other work conditions. Organising together as part of a trade union also means that you can make sure you can enforce your rights at work and make them matter.

Remember – what we have outlined above is the legal minimum, but many people enjoy much better working conditions than the minimum. In trade union organised workplaces people are paid on average 7% more and have fewer serious accidents than where people are not organised in trade unions.

- Campaigning and organising at work is how you get decent work, with social media and online lobbying tools being an important part of building awareness around campaigns. If you are a member you can get advice and ideas in our *Guide to Campaigning and Guide to Web Campaigning* at www.unitetheunion.org/guides
- You should be aware of the potential problems and risks in talking about your employer in public on social media – read the TUC online guidance at <https://worksmart.org.uk/work-rights/discipline-and-policies/social-media>
- If you're not already a member of a trade union – join Unite online at www.unitetheunion.org/join

By campaigning together we can win the 5 things that make **decent work for all!**

To find out more about our **decent work for all** campaign visit www.unitetheunion.org/decentwork4all

Find us on Facebook (**decent work 4 all**), follow us on Twitter (**@decentwork4all**). If you want to find out more about actions taking place in your region please email us at: decentwork4all@unitetheunion.org or visit www.unitetheunion.org/decentwork4all



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www.unitetheunion.org/decentwork4all