

STANDING UP FOR OURSELVES

Casualisation and so-called flexible working are ways of worsening working conditions and exploiting us more than ever. They also make permanent jobs more at risk. So casualisation does not only affect temporary and agency workers, but all workers.

Employers will sack workers they do not like, knowing full well that many are unwilling or unable to go through an employment tribunal. It is not enough having a few legal and contractual rights at work; we need to stand together to ensure that the rights we took a long time to win are respected. Only by standing together can we stop bosses from harassing and victimising us. We cannot leave it to the government, the bosses, political parties, or the established trade unions.

The most effective way of defending our rights is by organising ourselves and taking collective direct action. By forming our own groups where everyone is equal, we can resist exploitation and enforce our rights at work effectively. Defending our rights is just the start. Once we achieve this, we can start to take the initiative. An injury to one is an injury to all!

This leaflet was produced by the Solidarity Federation as part of a campaign against casualisation. It was written by workers, for workers, and aims to spread the message about the rights we all have. Solidarity Federation is part of the International Workers' Association, which is the global anarcho-syndicalist organisation. Contact us for free leaflets to hand out & more info on the casualisation campaign and/or information about Solidarity Federation. You can also e-mail for free advice on employment and health & safety rights at solfed@solfed.org.uk.

the STUFF YOUR BOSS DOESN'T WANT YOU TO KNOW



MINIMUM WAGE

+ 23 YEARS £9.50
21 TO 22 YEARS £9.18
18 TO 20 YEARS £6.83
< 18 YEARS £4.81



HOLIDAY

28 DAYS' PAID
HOLIDAY PER YEAR
FROM THE DAY
YOU START PRO RATA



BREAKS

UNINTERRUPTED
20MIN REST
WHEN WORKING
OVER 6 HOURS!

in some cases there may be exceptions



DAYS OFF

AT LEAST
1 DAY PER WEEK
OR
2 DAYS PER FORTNIGHT



SICK PAY

NO LESS THAN
£99.35 PER WEEK
FROM 4TH DAY AND
UP TO 28 WEEKS



REST

AT LEAST
11 HOURS REST
BETWEEN

**DON'T JUST TAKE THE MINIMUM
FIGHT BACK TO IMPROVE YOUR CONDITIONS**

KEY RIGHTS AT WORK

Whether we're working temporarily or permanently, with an agency, full or part-time, we have certain basic rights

1 The right to be told in writing how much and when we'll get paid. For over-25s the Minimum Wage is £8.72/hour. For 21-24 years it is £8.20. For 18 to 20 it is £6.45 and under 18s is £4.55, for apprentices it is £4.15. The rates are updated every year in April.

2 The right to at least 5.6 weeks' paid leave (holiday) per year. This amounts to 28 days for a normal working week. Job contracts should say what you get but if they don't, then 28 days is the minimum (including public holidays) unless you're part-time. For part-timers, multiply an average working week by 5.6. The rule applies to all jobs, no matter how casualised. It applies from the day we get a job.

3 The right to breaks of at least 20 minutes over six hours of work. We are allowed at least 11 hours' rest in every 24 and a minimum of a day a week off or two per fortnight. Rest breaks for under-18s are a minimum of 30 minutes every 4 1/2 hours.

4 The right to refuse to work more than 48 hours a week. We can't be made to go beyond that unless we have agreed in writing. Note: this is worked out by averaging a 17-week period, so we can be forced to do more in any single week.

5 The right to sick pay. We get statutory sick pay (where we've been off four days in a row) if we normally earn more than £120 per week before tax and we've been working for over three months (or are thought to have been in continuous employment for 13 weeks). You can get £95.85 per week. It's paid by your employer for up to 28 weeks.

6 The right to maternity/paternity leave when we have children. Most mothers are allowed 39 weeks' paid maternity leave plus 13 weeks' unpaid leave. To get maternity (or paternity) pay we must earn over £120 per week and have been working continuously for more than 26 weeks by 15 weeks before the baby's due date (when the employer needs to be notified). For the first six weeks we should be paid 90% of average earnings, then a constant rate of £151.20 for 33 weeks. Or 90% of the average weekly earnings, whichever is the lowest. If we are not eligible for maternity pay we can then apply to get Maternity Allowance from the government. Fathers/male partners get two weeks' paid paternity leave. Alternatively, eligible parents can share up to 50 weeks of parental leave in the year after a child's birth.

7 The right to be free from harassment. We should all work without racial or sexual harassment, bullying, prejudice or discrimination. Agency and part-time workers have the same rights as full-time workers.

8 The right to defend ourselves. We all have the right to protection from being sacked (fired, "let go") for using our legal employment rights. We also have the right to join with our fellow workers and organise ourselves collectively, and to join a trade union.

9 The right to refuse work that is unsafe or where training is not given. We all have the right to refuse to work if we find ourselves fearful of danger. Agencies are not allowed to send us to jobs for which we are not qualified,

Working Time Regulations

The basic rights and protections that the regulations give us are:

- One day off in any given week or two per fortnight.
- A minimum of 5.6 weeks' paid leave a year.
- We can't be forced to work more than an average of 48 hours a week and we can't be made to work more than 13 hours a day.
- Right to at least one 20 minutes rest break when working over six hours.
- At night, work can't take up more than an average of eight hours per day. And night workers have the right to free health checks.

Health & Safety

Employers should:

- Give us decent working conditions including enough toilets, washing facilities and drinking water.
- Make a health and safety plan, then give staff proper info and training.
- Give us procedures for dealing with risks at work.
- Tell all workers about health and safety agreements, policies and practices before we start work.
- Consult on health and safety matters. Health and safety at work costs money and time, so bosses often try to dodge doing it. By law they must give healthy, safe conditions to everyone they hire.
- Remember, we can legally walk out if we feel in instant danger.

Grievance Procedures

ACAS (an independent body which intervenes in boss vs worker disputes) has a Code of Practice which says when we can legally file a grievance (an official complaint).

The Code doesn't apply in court and it won't always protect us from being sacked due to a disciplinary (behaviour) issue.

The Code is considered by employment tribunals, other than for redundancies and when a firm decides not to renew a contract.

A tribunal can sometimes change the amount of compensation we're paid for being wrongfully fired (by up to plus or minus 25%) if it has not been reasonably followed. Employees facing disciplinary action should be given adequate time to prepare a defence.

We should be able to give evidence and to call witnesses. We have the right to go with someone else.

They can be a full-time union official (whether or not the union is recognised), a registered lay official (someone union-trained to go to hearings) or a colleague.

The worker and companion have protection against any disciplinary or dismissal in connection with using this right. Hearings must be heard within a reasonable time period.

**in some cases there may be exceptions!
get advice before organising**