

# A young workers guide to their rights and trade union membership



# does work work for you









## Essential information you'll need when first starting out at work






### This leaflet explains how you may benefit

#### from:

-  The minimum wage
-  Protection against working long hours
-  Rest periods
-  Time off
-  Learning at work
-  Apprenticeships

### The Minimum Wage




#### So what are the basic rates?

-  If you are aged 22 or over you are now entitled to £5.80 per hour
-  If you are aged 18-21 you are now entitled to £4.83 per hour
-  If you are 16-17 you are entitled to a new rate of £3.57 per hour. 16 year olds must have passed the school leaving age.

(Rates correct as of January 2009)

The TUC supports the minimum wage, but believes it could go further.

#### It is campaigning for:

-  Further increases in the adult rate
-  The adult rate to apply at the age of 18
-  A big increase in the rate for 16 and 17 year olds.

Trade unions believe that it's the job that matters not your age. For example, if an 18 year old can do their job as well as a 22 year old there is no justification for paying the 18 year-old less.

#### Who enforces the minimum wage?

Most people are paid more than the minimum wage but the minimum wage is essential to stop some employers exploiting their workers through very low pay rates.

The Inland Revenue enforces the minimum wage, you can call their helpline number:




**0845 6000 678** (calls are charged at local rates).

## How can a trade union help?

Unions, too, keep watch on pay rates and campaign for employers to pay fair wages. They also campaign for equal treatment in the workplace and tackle discrimination based on age, race, gender, sexuality or disability.


## Maximum Working Hours


If you are under 18 there are rules to protect you against working too long each week and working at night. Normally you should not work:


-  More than 8 hours a day;
-  More than 40 hours a week;
-  Or at night

But your employer can ask you to work longer if they are needed for what the law calls 'maintaining continuity of service or production', or to respond to a surge in demand.

You can only do these extra hours if all of these conditions are met:

-  An adult is not available to perform the duties; and...



 Any training you are doing is not neglected or adversely affected; and

 You must be properly supervised if the work is at night

At present, over 18s can agree to opt out of the 48 hour average weekly limit that applies to them by signing away these rights, although this may soon change due to the recent European Parliament decision to scrap the UK opt out. However, even under present regulations, under 18s cannot opt out; even if you want to work longer hours, you cannot. Not every job is covered by this protection, although the list of exempted jobs is getting smaller. Members of the armed forces are not covered by these rules, and young seafarers are covered by a separate set of rules (seafarers Directive 2002).

## Time Off Work

You should get a proper break between stopping and starting work each day and a longer period off every week:

-  You should get at least 12 hours rest in every 24-hour period, and this should be a single 12 hour break.
-  You should get a rest period of at least 48 hours in every seven day period- again this should be in a single break.

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This two-day rest break per week is twice as long as that which workers over 18 enjoy.

**Again, you cannot choose to give up these rights.**

## Meal Breaks






You should get an uninterrupted break of 30 minutes if you are working for four and a half hours or more. You should be able to take this away from where you work.

## Night Work



**Normally, under 18s should not work at night.**

For these purposes 'night' starts at 10pm and ends at 6am, though you can still be contracted to work past 10pm providing that you don't work between 11pm and 7am.






There are some exceptions, however. Some young people will still be able to work at night, but only as long as the following conditions are met:

-  The work is needed to maintain continuity of service and production, or to respond to a surge in demand;
-  An adult is not available to perform the duties;
-  Your training is not adversely affected;
-  You are properly supervised;
-  You are given compensatory rest.

If all of these conditions apply then you can work throughout the night if:

-  You are working in a hospital or somewhere similar;
-  You are working in connection with cultural, artistic, sporting or advertising activities.

In addition you can work up until midnight or from 4am if you work in

-  Agriculture;
-  A shop;
-  A hotel or catering business;
-  Restaurants and bars;
-  Postal or newspaper deliveries; or
-  A bakery.

## Safety at Work

The law says that employers must be careful with young workers. Before taking on a young worker, employers have to assess the risks to your health and the suitability of the proposed work. They should take into account your relative lack of experience in the workplace.

There is a special section of the TUC website dedicated to health and safety at work for young people.

Visit 'Work safe – it could be you' at:

[www.tuc.org.uk/tuc/rights\\_worksafe.cfm](http://www.tuc.org.uk/tuc/rights_worksafe.cfm)

## Lifelong Learning

Having well skilled and trained employees is essential for the modern workplace; therefore it's important that once in the workplace you continue your training and personal development.

Whatever stage you're at in life, you can increase your employment opportunities and chances of a higher salary by learning new skills.

The government provides funding through the Educational Maintenance Allowance, The Adult

Learning Grant, Apprenticeships, Train to Gain programmes and Union Learning funds to help you continue to learn whilst working.

Getting your numeracy and literacy skills mastered is one of the most important steps to boosting your career options. The National Tests for Adult Literacy and Numeracy offer the opportunity to improve your skills and gain a national qualification in literacy and numeracy. To find a test centre near you, contact the TUC unionlearn team or your local college.



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## Apprenticeship Programmes

If you want a job that guarantees excellent training, an Apprenticeship could be for you.

### What is an Apprenticeship?

Apprenticeships provide the chance to 'learn and earn' in a wide range of jobs and sectors and give you the chance to develop skills, experience and qualifications. Apprenticeships are offered in jobs as diverse as accounting, construction, engineering, and floristry, the right one for you will depend on your interests, experience and opportunities in your area.

All apprenticeships include the following basic elements:

- A National Vocational Qualification (NVQ) at level 2 or level 3

- Key skills qualifications such as working in teams, problem solving, using new technology and communication
- A Technical certificate such as BTEC or City & Guilds Progression Award
- Other qualifications or requirements as specified by particular occupations

The qualifications you gain as an apprentice can help you to enter higher education.

The time to complete an apprenticeship depends on the ability of the apprentice, the employer's requirements and the chosen profession, but they usually last between one and two years.

Apprenticeships are becoming more and more popular. Last year, there were more than 250,000 young people in England training in over 150 different types of Apprenticeship. There's a high demand for many of the Apprenticeships on offer, so beware that there can be a lot of competition to get a place.

### What to expect from your employer:

Once you have been offered a place on an apprenticeship programme, you will develop a learning plan with your employer and training provider. The employer, with the help of the



Learning and Skills Council, has to put together a good quality training programme for you. They should also provide a safe training environment and work together with a learning provider so that you can get your qualifications.

## What's expected of you?

You have to show dedication and a professional attitude. You will be expected to keep to normal working hours with your employer to earn your wages. You'll also need to concentrate when you are given on-the-job training.

For more information about apprenticeships go to: [www.apprenticeships.org.uk](http://www.apprenticeships.org.uk)

## TUC and unionlearn

The TUC believes that the life chances of all people can be transformed through access to learning throughout their working lives, and that such learning opportunities must be available to the entire workforce, regardless of their employment status or educational background.

We believe that people's learning and skills can best be delivered collectively with trade unions. Our purpose is to help unions open up a wide range of learning opportunities for their members. This will both promote their personal progression and develop their trade union role, strengthening workplace organisation.

Unionlearn was launched in 2006, offering a new and exciting service for young people and adults in work through education and training. Unionlearn trains workplace based union learning representatives to offer support and guidance about the world of learning and training opportunities available.

If you are employed in a workplace with a trade union, your union learning representative (ULR) can offer you information, advice and help with your training needs.

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Your union may also have learning facilities that will be available to you. Many employers are also working with unions to offer return to learn schemes for employees at all levels. These learning opportunities may be available through onsite ICT learning centres.

Information on the role of union learning representatives can be found on the unionlearn website: [www.unionlearn.org.uk](http://www.unionlearn.org.uk). The site also makes available key materials, resources and publications, many of which are free.

If you would like to find out if there is a union learning rep in your workplace, or if you are interested in becoming a ULR, please contact unionlearn in the Northern Region by phone on: **0191 232 3175** or you can email: [unionlearnnorthern@tuc.org.uk](mailto:unionlearnnorthern@tuc.org.uk)

## Agency Workers

If you are an agency worker you have rights too. Special measures are in place to protect your rights.

### No fees

An employment agency can't charge you a fee for simply finding you work or putting you on their books.

### Getting your wages

An agency cannot withhold your pay simply because they haven't received their payment from the company or organisation where you worked.

### Health and Safety

Agencies have a duty to find out about any health and safety risks known to the hirer and the steps taken to prevent or control those risks. The company where you are placed is responsible for making sure that the workplace is a safe working environment for you and must provide appropriate health and safety training.

### Learning and Skills

All workers, irrespective of age, whether directly employed or employed by an agency, should have access to training in their role.

As is described elsewhere in this leaflet, the TUC and its affiliate unions have become major players in the skills agenda. By joining a union you can greatly improve your access to training and development and your chances of securing a job that matches your skills.

**NO UNDERCUTTING  
NO ABUSE  
EQUAL RIGHTS FOR  
AGENCY WORKERS  
22ND FEBRUARY 2008  
BACK THE BILL**

## Equal Rights for Agency Workers

Nationally, the TUC is campaigning hard for equal treatment for agency workers. This campaigning has recently paid off with a new agreement between the government, the CBI and the TUC on the principle of equal treatment for agency workers after a qualifying period of 12 weeks. At a regional level, trade unions and the TUC continue to raise awareness of the benefits of trade union membership to agency workers and support temporary and agency workers in their struggle for equal pay and conditions.

## Campaigning with Unions

Joining a trade union is about more than protection at work. It is about the right to have a full and proper say in your pay, terms and treatment at work. Importantly too, it is about joining together to challenge injustices at home and abroad. That is why trade unions place campaigning at the heart of their activities.

In the Northern Region, The TUC is helping to co-ordinate many different campaigns, supporting trade union members in having their voices heard, not just in the workplace, but in the street. In the last 2 years, the young members in our region have been involved in the following campaigns:

### Hope Not Hate

The Northern Region has a proud history of combating racism. Union members across the region have come together to challenge the racist myths about migrants, refugees and asylum seekers and to campaign against racism and fascism



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in all its forms. Discrimination is absolutely incompatible with the values of trade unionism, and trade unions in the region express this by organising gigs, events and conferences that promote the links between us, rather than the differences that might divide us.

## The Right to Work for Asylum Seekers

As part of its strategy to support vulnerable workers, the Northern TUC has joined with the Regional Refugee Forum (RRF) to organise a vibrant campaign in the region for the Right to Work for Asylum Seekers.

## Fair Trade

For a number of years, young members in the region have been involved in campaigning for fair trade. This has led to a number of links



## BananaLink

with international trade unions and the not-for profit co-operative Bananalink which culminated in a TUC Young Members visit to Costa Rica in 2004. Northern Region young members continue to fund-raise for Bananalink projects, promote independent trade unionism and highlight the issues involved in the banana trade.



YOUNG MEMBERS NETWORK

The TUC in the Northern Region runs a Young Members' forum, where members (under the age of 27) come together to discuss and campaign on issues such as these, relevant to young people.

To find out more contact the Young Members Forum on: **0191 232 3175** (office hours).



## Useful Contacts

### Department for Business Innovation and Skills (BIS)

Free government Literature on the working time directive and other information on employment rights can be ordered or downloaded from BERR's directgov website.

**Telephone: 020 7215 5000**

**[www.direct.gov.uk/employment](http://www.direct.gov.uk/employment)**

### Health and Safety Executive

The HSE Infoline or Environmental Health department of your local council can help with queries on the working week and night work.

**Telephone: 0845 345 0055**

**[www.hse.gov.uk](http://www.hse.gov.uk)**

### National Minimum Wage Helpline

For up to date NMW rates and for information on the rules around the minimum wage, visit the HM Revenues and Customs website. To make a complaint about an employer who you suspect is not paying the minimum wage, contact the National Minimum Wage Helpline.

**Telephone: 0845 6000 678**

**[www.hmrc.gov.uk/nmw](http://www.hmrc.gov.uk/nmw)**

### ACAS

ACAS is a public body that promotes good workplace relations. Their national helpline can provide general advice on rights at work for employees and employers.

**Telephone: 08457 47 47 47 (8am-6pm)**

**[www.acas.org.uk](http://www.acas.org.uk)**

### Citizens Advice Bureau

Your local CAB office will be listed in your telephone directory. Find more advice and information at:

**[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)**

### Apprenticeships

For more information on apprenticeship programmes and what they entail go to: **[www.apprenticeships.org.uk](http://www.apprenticeships.org.uk)**

### Connexions

Connexions is for you if you are 13-19, living in England and wanting advice on getting to where you want to be in life. It also provides support up to the age of 25 for young people who have learning difficulties or disabilities (or both). Connexions is a modern public service and young people are actively involved in its design and delivery.

**Telephone: 080 800 13219**

**[www.connexions-direct.com](http://www.connexions-direct.com)**

### Equality and Human Rights Commission

If you think your problem might have a discrimination aspect then you might find the following websites helpful:

**[www.equalityhumanrights.com](http://www.equalityhumanrights.com)**

**[www.tuc.org.uk/equality](http://www.tuc.org.uk/equality)**

### NUS

The National Union of Students represents over 5million students if you're in further or higher education.

**[www.nus.org.uk](http://www.nus.org.uk)**

### workSMART

The one stop shop for everyone at work. This website provides a range of information about working life and your rights at work whether you are a union member or not.

**[www.worksmart.org.uk](http://www.worksmart.org.uk)**

does  
work  
work  
for you  
?

Unions today...  
....your friend  
at work



At times we all need advice or support in connection with employment.

Everyone has the right to join a union - it costs less than you think and your employer doesn't need to know you are thinking of joining up. The average cost of being in a union is only 92p a week for part time workers and about £2.00 for full-time workers.



YOUNG MEMBERS NETWORK

To find out more about how to join a union and which union is the right one for you, phone the Northern TUC Young Members Network on: **0191 232 3175** or the know your rights line on: **0870 600 4882** or visit: [www.worksmart.org.uk/unionfinder](http://www.worksmart.org.uk/unionfinder)

## The one-stop shop for everyone at work

These two websites provide a range of information about working life and your rights at work whether you are a union member or not.

[www.tuc.org.uk/northern](http://www.tuc.org.uk/northern)  
[www.worksmart.org.uk](http://www.worksmart.org.uk)



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