

December 2013 Edition

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Your  
Rights

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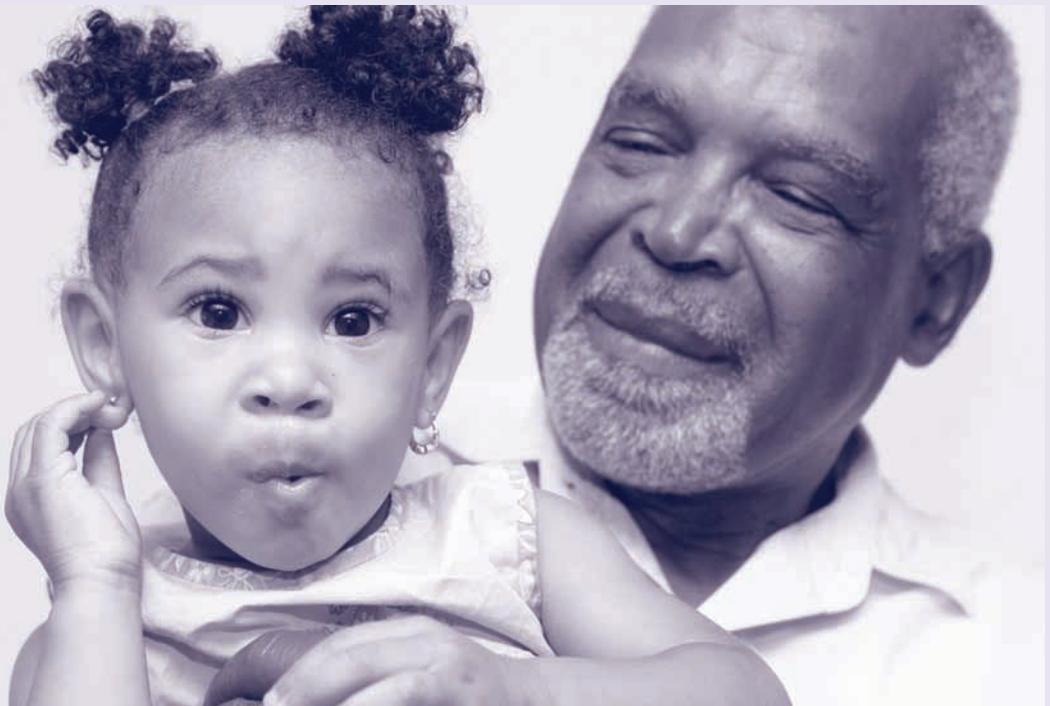
# Time off and flexible working for carers

If you are juggling work with caring for a relative who is ill, frail or disabled, here are the six things you need to know.

TUC 

# 1 You are not alone

**According to Carers UK, one in seven workers in the UK are likely to be juggling paid work with caring responsibilities. A survey of union members over the age of 50 found that nearly two-thirds were working and caring for a friend or family member.**



# 2 You have the right to request flexible working

A recent TUC survey of union members found that 90 per cent of those with caring responsibilities had requested a change to their hours in order to accommodate their caring commitments.

If you care for a child or adult, you have a right to request flexible working. Flexible working doesn't have to mean part-time working. It could be compressed hours, term-time only working, working from home, or a phased retirement.

To make a request, you must:

- have worked for your employer for at least 26 weeks
- apply in writing to them, stating how you would like to change your working pattern – your union rep can help you do this

Your employer must meet you within 28 days of receiving your application and you are entitled to take a union rep or a colleague with you to the meeting.

Your employer does not have to grant your request but they must give it due consideration and must give business reasons for rejecting an application. For a template letter and more details on the process, visit [www.gov.uk/flexible-working](http://www.gov.uk/flexible-working).

From April 2014, the right to request flexible working will be extended to all employees, even those without caring responsibilities, as long as they have 26 weeks of service.



# 3 You are entitled to time off for emergencies

You have the right to take unpaid time off work to deal with an unexpected event involving the person you care for. This person is known as a dependant. A dependant could be a spouse, partner, child, parent, or someone who depends on you for care.

You can use the right to time off for dependants when:

- a dependant is ill or gives birth
- a dependant is injured or assaulted

- a dependant needs you to deal with a disruption or breakdown in care, such as a childminder failing to turn up, or to deal with an incident which occurs unexpectedly at school
- a family member dies and you need to make funeral arrangements or attend the funeral.

Check with your union or your employer as some employers may offer paid leave.



# 4

## If you are a parent you may have the right to parental leave

Parents are currently entitled to 18 weeks of unpaid leave up to the fifth birthday of their child. If you have a disabled child who qualifies for Disability Living Allowance then you are entitled to unpaid leave up their 18th birthday.

From 2015, the entitlement to parental leave will be extended to the parents of all children up to 18. This is a requirement of the European Parental Leave Directive.

You are legally entitled to take up to four weeks per year but check your workplace policy or check with your union rep as your employer may offer more generous parental leave arrangements.



# 5 You are protected from discrimination

The 2010 Equality Act protects carers from discrimination in some circumstances. If you're looking after someone who is elderly or disabled, you are protected from unlawful discrimination or harassment because you are 'associated' with someone with a protected characteristic.

The Equality Act 2010 also protects carers of a disabled person from discrimination when shopping for goods, asking for and using services, and using facilities like public transport.

An example of direct discrimination in the workplace might be that you are turned down for a job or a promotion due to your caring responsibilities.



# 6 Your union rep can help

If you are struggling to juggle your job with caring responsibilities, speak to your union rep. Many unions have negotiated agreements which go beyond the minimum requirements set out in legislation. For example, some employers offer paid time off for emergencies or paid parental leave. Even if such an agreement doesn't exist in

your workplace, by raising your caring responsibilities as an issue with your rep you can make sure that carers' rights are on your union's bargaining agenda.

For more information about how to join a union, please visit [www.worksmart.org.uk/unionfinder/](http://www.worksmart.org.uk/unionfinder/)



- For further information on carers' rights, please contact Carers UK [www.carers.org.uk](http://www.carers.org.uk)
- Some of these rights may not apply to agency workers. If you work for an agency, please check the TUC publication *Delivering Equal Treatment for Agency Workers: a TUC bargaining guide*, available to buy online from: [www.tuc.org.uk/publications/index.cfm](http://www.tuc.org.uk/publications/index.cfm)
- Caring and other issues facing older women workers are discussed on the TUC blog page Age Immaterial <http://ageimmaterial.org/>

#### Other contacts

##### Acas

General advice for workers and employers on legal rights.

**T: 08457 474 747**

##### Citizens Advice Bureaux

Your local CAB office will be listed in the phonebook or can be searched for online at [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

##### Grandparents Plus

This organisation supports older people who have a role in family caring. Its website [www.grandparentsplus.org.uk](http://www.grandparentsplus.org.uk) also offers information about local support groups.

##### Working Families

Helps working parents and carers achieve work/life balance

[www.workingfamilies.org.uk](http://www.workingfamilies.org.uk)



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