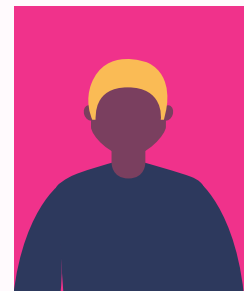
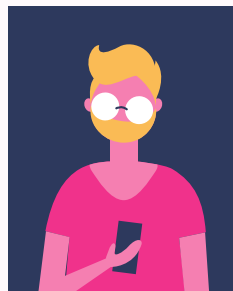
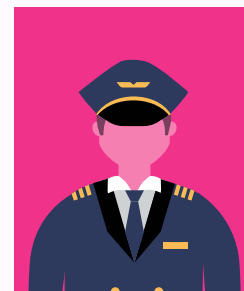
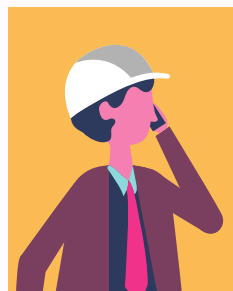
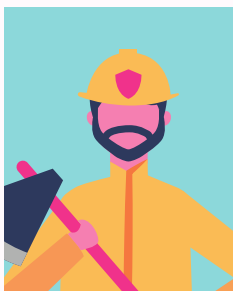
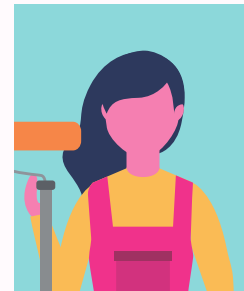
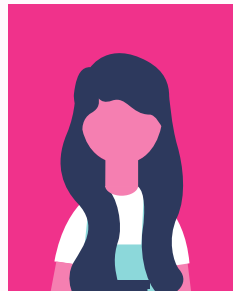
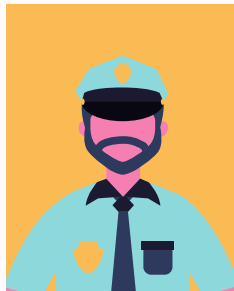
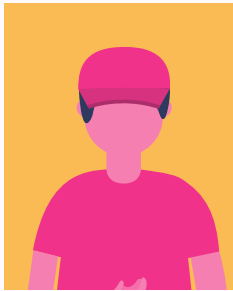


# Guide to staying safe at work and knowing your rights



## Contents

- 1 Comparing your rights as an employee vs. worker
- 2 National insurance numbers and national minimum wage
- 3 Contracts and payslips
- 4 Rest breaks, annual leave and overtime
- 5 Safe working environments and fire safety
- 6 Spotting signs of abuse in the workplace

## Reading this booklet will help you to...

- Understand your rights when working in the UK
- Learn the risks of becoming a victim of modern slavery.

Knowing what you're entitled to, including holidays, sick pay and rest breaks, and learning how to spot the signs of potential abuse will help you recognize if you're at risk of being exploited.

This guide provides basic information on various topics including wages, contracts, safe working environments and signs of modern slavery. It will also include links where you can research more on these topics.

### Ask yourself...

- Do you feel unsafe at work?
- Have you been given a contract that explains your rights?
- Is someone holding your ID?
- Are you being paid a different amount to what you were promised?



### **If you think you may not be getting what you're entitled to:**

call ACAS on **0300 123 1100** or visit [www.acas.org.uk](http://www.acas.org.uk).

### **If you think you're at risk of exploitation:**

call the Modern Slavery Helpline on **08000 121 700** or visit [www.modernslaveryhelpline.org](http://www.modernslaveryhelpline.org).

### **Alternatively, if you are receiving support from The Passage:**

please speak to your keyworker to find out more about our Modern Slavery support service.

## Comparing your rights as an employee vs. worker

This table from [Work Rights Centre](#) can help you to understand more about what it is you are you're entitled to, depending on your working contract/position.

Employment Rights	Employment Status		
	Employee	Worker Agency, Zero- hours, Casual	Self-Employed
Protection from discrimination	✓	✓	✓
Safe working environment	✓	✓	✓
National minimum wage or above, from April 2024 this is £11.44 (age 21+), £8.60 (18-20)	✓	✓	
Contract and itemised payslips	✓	✓	
Protection from unlawful deductions of wages	✓	✓	
Rest breaks	✓	✓	
Paid annual leave	✓	✓	
Protection from unfair dismissal (after two years of continuous service)	✓		
Statutory sick pay	✓		
Maternity / paternity pay	✓	✓	
Maternity / paternity leave	✓		
Redundancy pay	✓		
Tax Responsibilities	Employee	Worker	Self-employed
Income Tax and NI contributions paid for you by your employer	✓	✓	
Have to pay your own Tax and NI contributions			✓

Visit [www.workrightscentre.org/work-rights/understand-your-work-rights](http://www.workrightscentre.org/work-rights/understand-your-work-rights) for more information.

## National insurance numbers

When starting work in the UK, employers are likely to ask for a National Insurance (NI) Number. You have an NI number to make sure that your National Insurance contributions and tax are recorded against your name only. You pay NI contributions to qualify for certain benefits and the State Pension.

You can easily apply online for your NI number online at: [www.gov.uk/apply-national-insurance-number](https://www.gov.uk/apply-national-insurance-number). It takes around 15-minutes to apply.

**This is a free service – do not pay anyone to complete this for you!**

If you need help with your application, you can contact the NI number application helpline (England, Scotland, Wales) on 0800 141 2079. Lines are open Monday to Friday, from 8am- 5pm.

**You can ask for an interpreter if you need it.**



After applying, you will receive an email with your application reference number; this email will tell you if you need to provide more proof of your identity.

It can take up to 8 weeks for you to get your National Insurance number after you have proven your identity.

For more information on NI numbers, please visit: [www.gov.uk/national-insurance](https://www.gov.uk/national-insurance).

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## National minimum wage

The National Minimum Wage is the minimum pay per hour almost all workers are entitled to. The minimum wage a worker should get can depend on your age and if you're an apprentice.

You must be at least:

- [School leaving age](#) to get the National Minimum Wage
- Age 21 to get the National Living Wage - the minimum wage will still apply for workers aged 20 and under.

	21 and over (National Living Wage)	18 to 20	16 to 17	Apprentice
As of April 2024	£11.44	£8.60	£6.40	£6.40

If you are on a zero hour contract, you have the right to National Minimum Wage and National Living Wage depending on your age. Tax and National Insurance (NI) contributions will be deducted from this hourly wage.

Please note: the rates change on 1st April of every year. For more information and up to date rates, please visit: [www.gov.uk/national-minimum-wage-rates](https://www.gov.uk/national-minimum-wage-rates).

If you believe you aren't being paid minimum wage or have any concerns, you can call ACAS on 0300 123 1100 or visit [www.acas.org.uk](https://www.acas.org.uk).

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## Contracts

A contract is a written agreement about the work you will be doing, how much you will get paid, the hours you will work, how much holiday you will get, and other terms. You should get a copy of your contract from your employer; it should be written down and signed by you and your employer.

Zero-hour contracts:

A zero-hour contract is when you work 'as and when'. The employer does not have to give you hours and you do not have to take any work offered.

Whether you are an employee or a worker, by law, you have employment rights including:

- National Minimum Wage and National Living Wage
- Paid holiday
- Contract from your employer.

See the table on page 3 to see if you are classed as an employee or a worker to find out more about your rights.

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## Payslips

Your payslip must show:

- Your earnings before and after any deductions
- The amount of any deductions that may change each time you're paid, for example tax and National Insurance
- The number of hours you worked, if your pay varies depending on time worked.

Employers must also explain any additional deductions, for example repayment of a season ticket loan. They can choose to do this either on a payslip, or in writing before your first payslip.

For more information on payslips and contracts please visit: [www.gov.uk/payslips](http://www.gov.uk/payslips).

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## Paid holiday entitlement (also known as annual leave)

Almost all workers are legally entitled to 5.6 weeks' paid holiday a year (known as statutory leave entitlement or annual leave). This is calculated by how many hours you work per week.

This includes agency workers, workers on irregular hours and workers on zero hours contracts.

An employer can include bank holidays as part of statutory annual leave.

You can get an estimate of your holiday entitlement online at: <https://www.gov.uk/calculate-your-holiday-entitlement>

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## Rest breaks

Workers (including those with zero-hours contracts) over 18 are usually entitled to 3 types of breaks.

Rest breaks:

Workers have the right to one uninterrupted 20-minute rest break during their working day, if you work more than 6 hours a day. The break doesn't have to be paid – it depends on the employment contract

Daily rest:

Workers have the right to 11 hours rest between the end of one shift and the beginning of another, i.e. if you finish at 8pm, you shouldn't start work until 7am the next day

Weekly rest:

Workers have the right to either:

- An uninterrupted 24 hours without any work each week
- An uninterrupted 48 hours without any work each fortnight.

The only exception to the above rules is when workers are entitled to compensatory rest. For more information on compensatory rest, please visit: [www.gov.uk/rest-breaks-work/compensatory-rest](http://www.gov.uk/rest-breaks-work/compensatory-rest).

For more information about rest breaks in general, please visit: [www.gov.uk/rest-breaks-work](http://www.gov.uk/rest-breaks-work).

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## Overtime

Overtime usually means any work carried out beyond the normal working hours stated in your employment contract.

Overtime pay:

Employers do not have to pay workers for overtime. However, your average pay for the total hours you work must not fall below the National Minimum Wage. Your employment contract will usually include details of any overtime pay rates and how they're worked out.

You only must work overtime if your contract says so. Even if it does, by law, you can't usually be forced to work more than an average of 48 hours per week. If you are over 18, you can choose to work more by 'opting out' of the 48-hour week. You cannot be fired or treated unfairly for refusing to opt out and it must be voluntary and in writing. This may be for a fixed period or indefinitely and can be cancelled within an agreed notice period.

If you're under 18, you cannot work more than 8 hours a day or 40 hours a week.

For more information on the maximum weekly working hours, visit: [www.gov.uk/maximum-weekly-working-hours](http://www.gov.uk/maximum-weekly-working-hours)

For more information on working overtime, please visit: [www.gov.uk/overtime-your-rights](http://www.gov.uk/overtime-your-rights)

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## Safe working environments

All workers have a right to work in places where risks to their health and safety are properly controlled. Health and safety is about stopping you getting hurt at work or ill through work. Your employer is responsible for health and safety, but you must help.

The Health and Safety Executive has clear guidance on health and safety law in the workplace: [hse.gov.uk](https://www.hse.gov.uk).

For full information, please visit: [www.hse.gov.uk/pubns/law.pdf](https://www.hse.gov.uk/pubns/law.pdf).

What you must do to stay safe at work:

- Follow the training you have received when using any work items your employer has given you.
- Take reasonable care of your own and other people's health and safety.
- Co-operate with your employer on health and safety.
- Tell someone (your employer, supervisor, or health and safety representative) if you think the work or inadequate precautions are putting anyone's health and safety at serious risk.

What you must do if there is a problem:

- If you are worried about health and safety in your workplace, talk to your employer, supervisor, or health and safety representative.
- You can also look at [www.hse.gov.uk](https://www.hse.gov.uk) for general information about health and safety at work.
- If, after talking with your employer, you are still worried, you can find the address of your local enforcing authority for health and safety and the Employment Medical Advisory Service via HSE's website: [www.hse.gov.uk](https://www.hse.gov.uk).

What your employer must do for you:

- Decide what could harm you in your job and the precautions to stop it. This is part of risk assessment.
- In a way you can understand, explain how risks will be controlled and tell you who is responsible for this.
- Consult you and your health and safety representatives to protect everyone from harm in the workplace.
- Give you the health and safety training you need to do your job, free of charge.
- Provide you with any equipment and protective clothing you need, and ensure it is properly looked after, free of charge.
- Provide toilets, washing facilities and drinking water.
- Provide adequate first-aid facilities.
- Report major injuries and fatalities at work to our Incident Contact Centre: 0345 300 9923.
- Report other injuries, diseases and dangerous incidents online at [www.hse.gov.uk](https://www.hse.gov.uk).
- Have insurance that covers you in case you get hurt at work or ill through work.
- Display a hard copy or electronic copy of the current insurance certificate where you can easily read it.
- Work with any other employers or contractors sharing the workplace or providing employees (such as agency workers), so that everyone's health and safety is protected.

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## Fire safety

You can get advice on fire safety from the Fire and Rescue Services or your workplace fire officer. This information has been taken from: [www.hse.gov.uk](https://www.hse.gov.uk).

**For more information about health and safety at work, please visit:**  
[www.gov.uk/browse/employing-people/health-safety](https://www.gov.uk/browse/employing-people/health-safety)

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## Spotting signs of abuse in the workplace

You should never suffer abuse and discrimination in the workplace. There are many ways in which someone can be abused, and, in some cases, abuse can be used as a means of exploiting workers.

Signs of exploitation may include:

- Working excessively long hours without breaks
- Being paid very little or not at all or in return for accommodation
- Not having a job contract
- Bank cards and ID being held by someone else
- Wages paid to someone else's account
- Physical/mental abuse
- Unsafe working conditions
- Restricted freedom of movement
- Being forced to work in a job you didn't choose
- Forced, substandard accommodation.

There are some areas of work where people are more likely to be at risk of exploitation. These include:

- Agriculture (farming, rearing animals, growing produce, maintaining land)
- Car washes (hand car washes)
- Construction (building, renovations, painting)
- Hospitality and food industries (restaurants, hotels, food preparation)
- Health and beauty (nail bars, salons, massage parlours)
- Factory work (food processing, garment factories).

If accommodation is provided:

- It should never be provided in place of wages and rent should be pre-agreed with the employer
- It must be suitable e.g., safe, warm, secure, with fresh drinking water, toilet and washing facilities
- You must be free to leave.

### **Workers' rights differ slightly in agriculture.**

For more information, please go to: [www.gov.uk/agricultural-workers-rights](http://www.gov.uk/agricultural-workers-rights)

The Clewer Initiative developed two Apps that help you identify and report potential exploitation in car washes and agriculture. You can download these Apps to your devices by following the below links.

To report potential exploitation in a car wash, find the app here: [www.theclerinitiative.org/campaigns/safe-car-wash](http://www.theclerinitiative.org/campaigns/safe-car-wash)

If you think you're being exploited or want to know more about your rights in agriculture, find the app here: [www.theclerinitiative.org/campaigns/the-farm-work-welfare-app](http://www.theclerinitiative.org/campaigns/the-farm-work-welfare-app)





## Cash in hand work

Cash in hand work means that you are paid for the work you've completed in cash. This means that the money is not transferred to your bank account – you're simply given cash for the work that you have done.

Although cash in hand work is legal, it's not necessarily the best way to earn an income as there are no guarantees of earning, whereas in contracted work you will usually be paid for the hours you work. This type of work enables businesses to avoid their responsibilities such as sick pay, holidays and other entitlements, although this is not always the case.

You can earn up to £1,000 per year tax-free, without letting HMRC know about it; however, once you earn more than £1,000 you need to declare this to HMRC. For more information on how to do this please visit: [www.gov.uk/income-tax/how-you-pay-income-tax](http://www.gov.uk/income-tax/how-you-pay-income-tax).

If you are doing cash in hand work, you need to keep track of how much you're working and what you're being paid. An employer does not need to keep your original documents.

**Cash in hand work becomes illegal if income over £1,000 per year is not declared to HMRC, and tax and National Insurance are not paid**

**If you think you're not getting what you're entitled to or are having issues with an employer:** call ACAS on 0300 123 1100 or visit [www.acas.org.uk](http://www.acas.org.uk).

**If you think you're at risk of exploitation:** call the Modern Slavery Helpline on 08000 121 700 or visit [www.modernslaveryhelpline.org](http://www.modernslaveryhelpline.org).

**Alternatively, if you are receiving support from The Passage:** please speak to your keyworker to find out more about our Modern Slavery support service.

For information from the UK government on work rights, visit: [www.gov.uk](http://www.gov.uk).

To find out more about health and safety, or to report a problem visit: [www.hse.gov.uk](http://www.hse.gov.uk).

Alternatively, the Work Rights Centre have resources for understanding your rights: [www.workrightscentre.org](http://www.workrightscentre.org).

The Passage 

# Guide to staying safe at work and knowing your rights



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