

English



WORKERS' RIGHTS

Protecting workers through licensing



Gangmasters
Licensing Authority

t: +44 (0)845 602 5020

www.gla.defra.gov.uk

How we can help you

The GLA is an organisation set up to protect you from exploitation.

Our licensing scheme regulates businesses who provide workers to the fresh produce supply chain. The scheme ensures that businesses who supply workers (labour providers, gangmasters or agencies) and businesses who need workers (labour users, farmers, packhouses) meet the employment standards that are required by law.

Which sectors are covered by the scheme?

A wide range of sectors are covered by the licensing scheme: agriculture, horticulture, forestry, fish processing, gathering shellfish, dairy farming, and the packaging or processing of food and drink products.

So if your labour provider supplies workers to any of these sectors they will require a gangmasters licence.

Your employment rights

Your rights as a worker are protected by UK law. Some rights take immediate effect, some are conditional on how long you work. The following pages give a basic outline of what you should expect from your labour provider. These are your employment rights.

National Minimum Wage

You should receive at least the National Minimum Wage (NMW) if you are in a permanent job, on a short term contract or working for an agency. Most agricultural workers are entitled to an additional rate of pay above the NMW. If you receive piece work pay you should still earn the minimum wage rate. There are a few exceptions, including self employed and voluntary workers. Call the Pay and Work Rights Helpline free of charge or check the website (details on page 12) for up to date information.

Hours of work

You should not have to work more than 48 hours a week, including overtime, unless you have chosen to do so. Your labour provider must keep a written record to show you have agreed to work additional hours.

You are entitled to take a minimum of one day off per week, and if you work for more than six hours a day you should have a rest break of at least 20 minutes.

Annual leave

You are entitled by law to a minimum number of weeks paid holiday a year, starting from your first day at work. This includes part time and fixed term contract workers. Contact the pay and work rights helpline or check direct.gov.uk for the latest information.

Details of your holiday entitlement should be in your employment contract. It is based on your normal working hours (pro rata for part time workers), accrued during the time you work for your employer and should be paid at your normal working rate.

When you leave your job, any holiday you have not taken should be paid to you. If your employer will not allow you to take any holiday or you are owed holiday pay, you can contact the Pay and Work Rights Helpline or Citizens Advice for guidance on claiming the money back.

An itemised payslip

You should receive a payslip on the day you are paid which shows your gross pay and your take home pay. It should also list the amount and purpose of any deductions which will be taken from your pay.

Deductions which can change weekly, such as tax and national insurance, should be listed on each payslip. You should receive your agreed pay on time, including holiday or sick pay.

Deductions of wages

Your labour provider can only make certain deductions from your wages and they must be listed on your payslip. These include statutory deductions such as your tax and national insurance contributions, deductions you have agreed to in your contract of employment or deductions you have given written permission for, such as transport or accommodation.

Even if you have agreed to a deduction it must not take your pay below the minimum wage, except for a limited amount for accommodation. Contact the Pay and Work Rights Helpline for guidance.

Health and safety

Your employer has a legal responsibility for your health and safety at work. Your labour provider and labour user must agree who will be responsible for managing your health and safety. You should receive health and safety information, training and protective clothing free of charge.

Sick pay

Your contract of employment should state the payment you will receive if you are off work because you are ill. The minimum amount you are entitled to is statutory sick pay (SSP) if you are away from work for four days or more in a row, but your contract may give you additional pay or benefits.

Your terms and conditions

This is an agreement between you and the person you work for. Legally, if you have been employed for over one month you must be given written details of your terms and conditions.

You should receive your written statement within two months of starting work, and it must include the following information:

- Your name
- Who you will work for
- What type of work you will be doing
- The date you started work
- Place of work
- The amount of pay and how often you will be paid (weekly or monthly)
- Hours of work
- Holiday entitlement
- Sick pay entitlement
- The disciplinary, dismissal and grievance procedures
- Notice you are required to give if resigning, or to receive following dismissal

Your employer can only change the terms and conditions of your contract with your permission.

Help stop worker exploitation

We need your help to ensure your rights are protected and you are provided with the conditions you are entitled to. If you feel you have not been treated fairly and lawfully, please contact us.

- Call 0845 602 5020 to speak to us directly. Our phone lines are open Monday to Friday, 9:00am–5:00pm
- Email our intelligence team at intelligence@gla.gsi.gov.uk
- Use our anonymous reporting form, which is available in several languages online at www.gla.defra.gov.uk
- Write to us at GLA, PO Box 10272, Nottingham, NG2 9PB.

If you would like to discuss your employment rights with an experienced advisor you can contact your local Citizens Advice Bureau for help and guidance, or call the Pay and Work Rights Helpline.

Your labour provider's responsibilities

Your labour provider must have a gangmasters licence to work legally in the regulated sectors.

To apply successfully for a licence, labour providers will need to show they meet the conditions of the GLA licensing standards (see page 10). The standards are all legal requirements, to protect workers from poor treatment and exploitation.

Labour providers must continue to comply with the licensing standards to keep their licence. If you are concerned that a labour provider is failing to meet the standards or is operating without a licence you should contact us.

These are not only the conditions of the gangmasters licence, they are also your legal rights – your employer has a responsibility to ensure you are treated fairly.

The licensing standards

The GLA licensing standards set out the conditions that must be met to qualify for a licence.

The areas covered are:

- Fit and Proper Test
- Pay and Tax matters
- Prevention of Forced Labour and Mistreatment of Workers
- Accommodation
- Working conditions
- Health and Safety
- Recruiting Workers and Contractual Arrangements
- Sub-Contracting and Using Other Labour Providers

For further information you can request a copy of the GLA Licensing Standards booklet.

Further help and guidance

There are a number of organisations who can give you detailed advice on all your employment rights.

Citizens Advice Bureau

Free, impartial and confidential advice on all issues with local offices around the UK.

www.adviceguide.org.uk

Citizens Advice Bureau – England and Wales

www.citizensadvice.org.uk

Telephone: +44 (0)20 7833 2181

for your local office number

Citizens Advice Bureau – Northern Ireland

www.citizensadvice.co.uk

Telephone: +44 (0) 289 023 1120

for your local office number

Citizens Advice Bureau – Scotland

www.cas.org.uk

Telephone: +44 (0) 131 550 1000

for your local office number

Directgov

Information from a wide range of government departments – see the employment section for guidance on pay, rest breaks, holiday entitlement, health and safety and redundancy.

www.direct.gov.uk

Pay and Work Rights Helpline

Advice on the National and Agricultural Minimum Wages, working hours and employment agencies. Free to call.

www.direct.gov.uk/paysandworkrights

Telephone: +44 (0) 800 917 2368

Advisory, Conciliation and Arbitration Service (ACAS)

Provide free, independent guidance on employment rights and resolving workplace disputes.

www.acas.org.uk

Telephone: +44 (0) 845 747 4747

Trade Unions Congress (TUC)

www.tuc.org.uk

Telephone: +44 (0)20 7636 4030

Health and Safety at work

Click on the workers' rights link for detailed guidance from the Health and Safety Executive.

www.hse.gov.uk

Telephone: +44 (0) 845 345 0055

National Insurance number

Contact Jobcentre Plus to apply for a National Insurance number.

www.jobcentreplus.gov.uk

Telephone: +44 (0) 845 600 0643

Crimestoppers

You can contact Crimestoppers for free, at any time, with information about crime. You do not need to leave your name and your call cannot be traced.

www.crimestoppers-uk.org

Telephone: +44 (0) 800 555 111

Contact us



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