

students at work

A quick guide to your rights at work

looking for a job?

Where to look:

- on campus, via Career Central
www.uea.ac.uk/careers
- union jobs
www.uea.su/union/jobs/studentstaffroles/
- in the local press
www.jobs24.co.uk
- online using Universal Jobmatch
www.jobsearch.direct.gov.uk

before you start work

If you apply to work with certain groups, for example children or vulnerable adults, your employer will ask for a DBS check – this is a check with the Disclosure and Barring Service. For more information see:

www.gov.uk/dbs-check-applicant-criminal-record.

Give your employer your P45, if you have one. Otherwise your employer will ask you to fill in a Starter Checklist or form P46.

If you want to check whether you are paying the right amount of tax, try the HMRC tax checker: www.gov.uk/check-income-tax-current-year.

home and EU students

Make sure you have a National Insurance

number. If you have not received one, apply to the National Insurance number application line on 0800 141 2075.

international students

If you are an international student from outside the EEA, you must check whether you have the right to work in the UK by checking your visa status. Any employer should ask for evidence that you have the right to work in the UK.

If you are allowed to work, you must not exceed 20 hours of paid work a week during term-time and may face very serious consequences if you do exceed this limit.

International students can take up work whilst awaiting allocation of a National Insurance number (visa status permitting). You can get a National Insurance Number by applying to the National Insurance number application line on 0800 141 2075.

what are my rights at work?

Even if you are working on a temporary or casual basis, you have some rights at work. Your rights depend on whether you:

- work under a contract of employment

- do paid work for someone else but do not have employment status (usually referred to as a “worker”)
- are self-employed
- are a volunteer.

It can sometimes be difficult to work out which of these applies to you. Most student jobs are either “worker” or employed and many basic employment rights apply to both these groups – see below.

- If you run your own business you are most likely to be self-employed and you will not have employment or workers’ rights.
- If you are an agency worker or on a “zero hours” contract you may either be a worker or an employee depending on what agreement you have made with your employer; it does not matter if this is not written down.
- If you are an intern, you may be a worker, an employee or a volunteer. For more information on your rights see our info sheet and www.gov.uk/employment-rights-for-interns.
- Volunteers do not have the same rights as workers and employees but do have protection from unlawful discrimination.

rights for all paid workers

Everyone who works for someone else in return for payment has the following rights:

- To be paid at least the national minimum wage. This varies depending on your age and is reviewed every year. You can check the current rate at www.gov.uk/national-minimum-wage-rates

- To rest breaks and time off (including paid holiday) under the Working Time Regulations, subject to some exceptions for specific types of work. For more information see www.gov.uk/rest-breaks-work and www.gov.uk/holiday-entitlement-rights.

- Not to work more than 48 hours a week, unless you agree in writing to do so. The NUS recommends that full-time students should not work more than 16 hours a week.

- Not to suffer discrimination at work on the grounds of a protected characteristic such as: sex, gender reassignment, sexual orientation, pregnancy, religion or belief, race, disability, age, being married or in a civil partnership.

- Not to be harassed at work because of a protected characteristic. Harassment means unwanted behaviour linked to a protected characteristic that violates someone’s dignity or creates an offensive environment for them.

- Not to have unlawful deductions made from your pay. Employers must not make deductions from your pay (apart from tax and National Insurance, if you have to pay these) unless there is a right to make a deduction specified in your contract or you have agreed to the deduction in advance, and in writing.

- Not to suffer a detriment because you have made a protected disclosure(‘whistleblowing’).

- Statutory sick pay if you pay national insurance contributions, are ill for 4 or more consecutive days and earn over £116 a week (this threshold changes each year). You must also comply with your employer’s notification rules.

- Your employer must look after any personal information held about you and not disclose it without your consent.

- Health and safety protection.

For information about tax and national insurance, see the advice(su) leaflet - 'Students and Income Tax'.

extra rights for employees only

If you have a contract of employment, you have these additional rights:

- An itemised pay statement.
- Once you have been employed at least a month, a written statement of terms and conditions. This should set out all the important terms of your employment.
- Minimum notice of termination.
- To join a trade union, or to refuse to join a trade union. If you belong to a union they can represent and advise you on employment issues.
- Not to be dismissed for a reason which is considered "automatically" unfair. This includes pregnancy, joining a trade union, your political beliefs or affiliation or insisting on your statutory rights such as work breaks. There is no qualifying period.

Employees also have parental rights such as maternity, adoption or paternity leave and qualify for further protection from dismissal after 2 years' continuous employment.

what can I do if I have a problem at work?

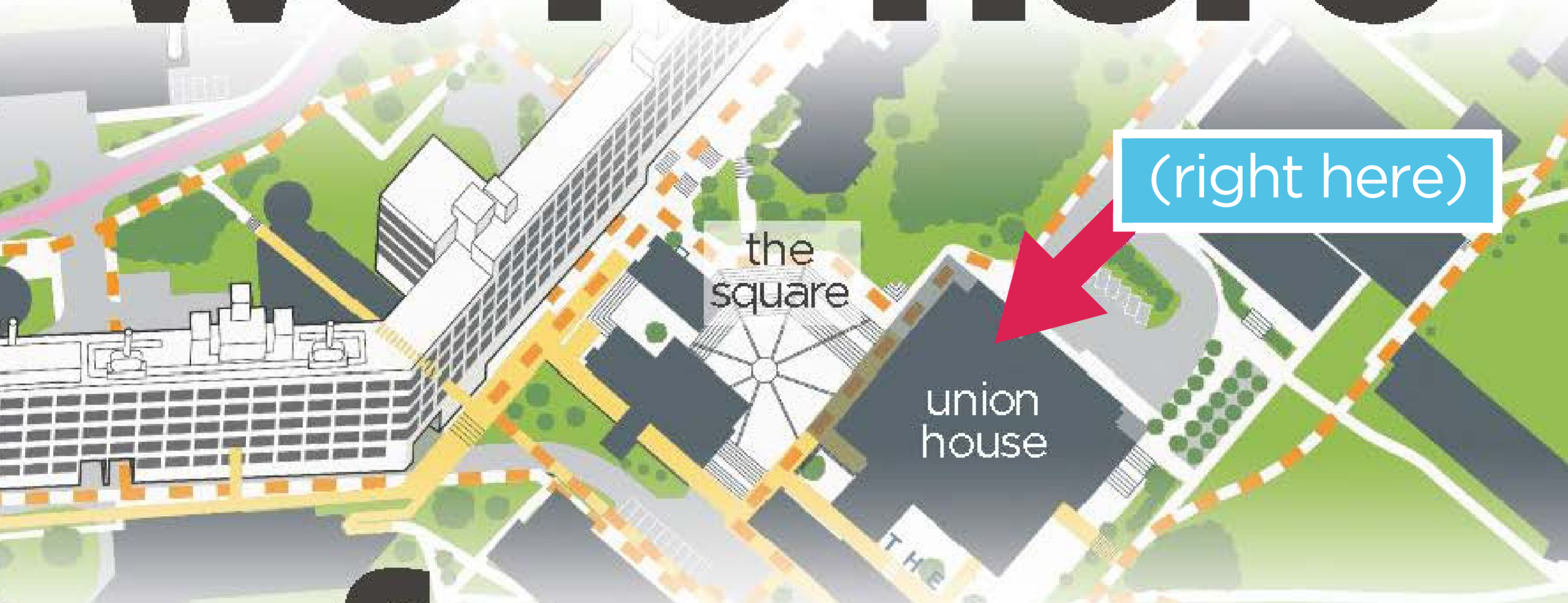
If you belong to a Trade Union, talk to them for advice or support.

If you cannot sort out a problem informally with your employer, it may help to raise a formal grievance. Advice(su) can advise you how to do this.

If raising a grievance does not solve the problem the next step may be to consider making an Employment Tribunal or County Court Claim.

There are strict time limits for making employment claims, so make sure you take advice quickly. In the County Court you will have to pay a fee to make a claim, but if you are on a low income, you can apply for the fee to be reduced or waived. If you win your case you will usually get the fee back.

we're here



for you

With

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uea.su/advice

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