

YOUR RIGHTS AT WORK

- a guide for Personal Assistants and their Employers

A guide to your basic employment rights when employed as a Personal Assistant and your responsibilities if employing a Personal Assistant.



On your first day at work you are entitled to the following basic rights:

- ◆ Itemised pay statement
- ◆ National minimum wage
- ◆ Time off for holidays and breaks
- ◆ Time off for ante-natal visits
- ◆ 52 weeks maternity leave
- ◆ Written reasons for dismissal during pregnancy/maternity leave
- ◆ To join a trade union, like UNISON

1

You are also entitled to protection against:

- ◆ Discrimination, harassment and victimisation on the grounds of sex, race, disability, sexual orientation, age, part-time working, asking about your statutory rights including health and safety, trade union membership
- ◆ Equal pay for work of equal value
- ◆ Unlawful deductions from pay
- ◆ Dismissal because of pregnancy or whistle-blowing.

Some rights depend on your length of service:

Right

Required service

Written statement of terms	2 months
Statutory Maternity Pay	6 months
Paternity Leave	6 months
Unpaid Parental Leave	1 year
Written reasons for dismissal	1 year
Apply to Employment Tribunal for unfair dismissal	1 year
Redundancy payment	2 years

2

Working time, holidays and breaks

You have the right to:

- ◆ 28 days holiday a year (including public holiday). If your employment ends you are entitled to your accrued holiday entitlement
- ◆ A 20 minute break if you work 6 hours
- ◆ A rest period of 11 hours between shifts
- ◆ A rest period of 24 hours every 7 days
- ◆ A ceiling of 48 hours on average a week.

National Minimum Wage

- ◆ £5.73 aged 22 or over, (£5.80
- ◆ £4.77 aged 18-21 and (£4.83
- ◆ £3.53 aged 16-17 (from Oct 2008) (£3.57 - from Oct 2009)

Statement of written terms

You have the right to a written statement of your main contract terms and conditions after 2 months of starting work. It must include:

- ◆ Your name and the name of your employer

[Cont on opposite side)

- ◆ Job title/brief job description
- ◆ Date employment or continuous employment began
- ◆ Place of work
- ◆ Rate and frequency of pay
- ◆ Hours of work
- ◆ Holidays and holiday pay
- ◆ Sickness and sick pay
- ◆ Notice entitlement and pension rights
- ◆ Period of employment if temporary
- ◆ Note of disciplinary/grievance procedures
- ◆ Any collective agreements that apply.

Changing contract terms

Your employer can only change your terms by agreement and must give notice of proposed changes. The period of notice ranges from 1 week after 4 weeks service to 12 after 12 years service. If the employer seeks to force any changes you must take steps immediately to protect your interests by lodging a grievance. Changes which result in a cut in pay may be an unlawful deduction from wages.

These rights and protections are your statutory minimum.

Your contractual rights may give you better rights.

Personal Assistants-

Join UNISON to protect your rights; improve your terms and conditions and receive support and advice when needed.

To join UNISON or for further information go to www.unison-scotland.org.uk/join, phone 0845 345 0845, or fill in the form below and return to:

UNISON Scotland, FREEPOST EH104, EDINBURGH EH4 0HU. (you do not need a stamp)

Please send me a UNISON application form:

Name:

Address

.....Postcode.....



Personal Assistant Employers-

Become a better employer and join the Scottish Personal Assistants Employers Network (SPAEN) for support information, advice and training on your responsibilities as an employer.

To join SPAEN or get further information see our webpage at: www.spaen.co.uk or complete this form and return to:

SPAEN, Suite G4, Dalziel Building, 7 Scott Street, Motherwell, ML1 1PN.

Please send me SPAEN's Membership details

Name:

Address

.....Postcode.....

