

## **The right to work a maximum number of hours a week**

There are rules about the number of hours you are allowed to work in a week. You should not have to work more than 48 hours a week, unless you have agreed this with your employer in writing. You cannot be forced to work more than 48 hours a week. You also have the right to a break during the working day and days off during the week. There are special rules for people doing agricultural work. If you think you're working longer hours than you should be, you should get advice (see below).

## **The right to paid holiday**

You are entitled to 5.6 weeks' paid holiday from work each year. This means that if you work five days a week, you have the right to 28 days' paid holiday a year. If you aren't given holidays from work, or aren't paid for your holidays, you should get advice.

## **The right to health and safety protection**

Your employer must make sure that your workplace is safe for you to work in. This means that they must make sure you can do your job in a way which won't injure you or make you ill, and that you understand the safety rules. If you think your workplace isn't safe, you should get advice.

## **Parental rights at work**

Most women who work have the right to take time off work to have a baby. This is called **maternity leave**. However, not all workers have this right. Some employers say you don't have the right to take maternity leave when you do. If

Extract of factsheet available at

[http://www.adviceguide.org.uk/england/work\\_e/work\\_factsheets.htm](http://www.adviceguide.org.uk/england/work_e/work_factsheets.htm)

your employer says you don't have this right, you should get advice.

You can take up to 52 weeks' maternity leave. However, only certain women can get paid maternity leave. To check whether you can get paid maternity leave, you should get advice.

Some people can get paid **paternity leave** from work when their wife or partner has just had a baby. To check whether you have a right to this leave, get advice. You may also be able to share some of your partner's maternity leave. To check whether you have a right to this leave, get advice.

## **The right to be protected from discrimination**

All workers in the UK have the right to be protected from discrimination by their employer. This includes discrimination because of your age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexuality.

## **The right to leave your job**

You must be allowed to leave your job if you no longer want to work there. No one, including your employer, can stop you from doing this. Some migrant workers are not allowed by the UK Border Agency to find other work if they leave the job they came to the UK to do or are dismissed. You may have to wait until the Home Office has sorted out your paperwork before you can get another job.

If you've left your job or are dismissed and aren't sure whether you are allowed to get another one, you should get advice (see below).

Extract of factsheet available at

[http://www.adviceguide.org.uk/england/work\\_e/work\\_factsheets.htm](http://www.adviceguide.org.uk/england/work_e/work_factsheets.htm)

If you want to leave the UK before the date that you've agreed with the person you work for, you may find that you can't change the date of travel on your return ticket. This may happen if your travel to the UK has been paid by someone else such as an agency. If you are in this situation, you should get advice.

## Your employer holds onto your passport

Your employer or employment agency is not allowed to hold onto your passport or any of your other official documents for any longer than a day. If your employer is holding onto your passport without your agreement, they could be breaking the law. If they won't give your passport back to you when you ask for it, you should get advice.

## Problems with employment agencies and gangmasters

You may have come to work in the UK because an **employment agency** found work for you. Sometimes employment agencies don't tell you the truth about the work they have found for you. You may find that you are not being paid as much as you expected, or the working conditions are not as good as you were led to believe. You may work in the UK for a **gangmaster**. A gangmaster is someone who organises work for people, for example, on farms, in hotels, restaurants, or hospitals or on building sites.

If you are having problems with your employment agency or gangmaster, you can get further advice from the Pay and Work Rights helpline on 0800 917 2368.

Extract of factsheet available at

[http://www.adviceguide.org.uk/england/work\\_e/work\\_factsheets.htm](http://www.adviceguide.org.uk/england/work_e/work_factsheets.htm)

However, you can only do this if the agency has offices in the UK. If the agency doesn't have a UK office, there's usually nothing you can do.

## Further help

### **Citizens Advice Bureau**

Citizens Advice Bureaux give free, confidential, impartial and independent advice to help you solve problems. To find your nearest CAB, including those that give advice by e-mail, click on [nearest CAB](#), or look under C in your phone book.

### **The Trades Union Congress (TUC)**

You can get information on employment rights for migrant workers on the TUC's website at [www.worksmart.org.uk](http://www.worksmart.org.uk). There is also a website in Polish at [www.pracawbrytanii.eu](http://www.pracawbrytanii.eu) and in Portuguese at: [www.trabalharnoreinounido.org](http://www.trabalharnoreinounido.org).

### **The GOV.UK website**

This government website has information for agricultural workers and their entitlement to the agricultural minimum wage in England and Wales. Go to [www.gov.uk](http://www.gov.uk).

### **UK Border Agency**

For more information about the rights of Bulgarian and Romanian migrant workers, visit the UK Border Agency website at [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk).

Extract of factsheet available at

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