

"Your staff are your most valuable resource..." Whether your company employs two people or two hundred, this key item should be at the top of every manager's priority list. Yet, keeping up to date with changing employment legislation - especially with added European Community Directives - becomes more complex and costly every day. In these Fact Sheets, we have tried to provide basic guidelines and ideas to help you adapt or improve your personnel procedures. Please remember the advice given is general and not intended to be legally definitive. The Fact Sheets on various employment and human resource matters can be accessed at www.aslrecruitment.co.uk/useful-resources

PART TIME WORK REGULATIONS

1. The Law

It is unlawful for employers to treat part-timers less favourably in their terms and conditions of employment than comparable full-timers who work under same type of employment contract. The Law relates to "workers" and not just employees, so therefore also applies to temps on contracts for services, casual workers, home workers etc.

2. Principles

Part-timers must;

- receive same hourly rate as comparable full-timers (this means part-time temps must be paid same hourly rate as full time temps doing similar job
- receive same hourly rate for overtime once they have worked more than normal full time hours;
- not be excluded from training;
- have same entitlements to annual leave and maternity/parental leave on pro-rata basis as similar status full timers.

3. Specific situations

- Where individual agrees to work shorter hours they may compare new package with old package, without having to find different person to act as necessary comparator.
- Where individual ceases to work for employer but returns within period of 12 months, comparison can be made between previous package and new package.

4. Written statement

Part-timers can request written statement from employer if they believe being treated less favourably than a comparable full-timer. Employers must respond within 21 days. This allows both parties to establish facts, and lessens likelihood of claim being taken to employment tribunal.