

## AWR

### What is it?

The Agency Workers Regulations are targeted at temporary workers including those operating via an umbrella company, who are on assignment with a client for a period of 12+ weeks (same role, same client) The Regs ensure that the temporary workers receive equal treatment in reference to working conditions, access to facilities and pay as that of a permanent employee counterpart.

### Who does it apply to?

Applicable to contractors being paid through a PAYE model, this can be either in-house via an agency or umbrella company. ***It does not affect contractors who are operating via their limited company.***

### Why is it important for temporary workers?

There are two types of equal rights:

From Day 1:

- Access to communal areas and facilities
- Access to internal job vacancies

From 12 Weeks:

- Ensure fair basic pay after the 12 week mark
- The same amount of annual leave as a direct employee
- Rest breaks
- Performance related bonuses if applicable

### Fair Pay....

Comparator details, which include (hours of work, rate of pay, days holiday) that a permanent, direct, employee would be receiving by doing a similar role, should be requested at the beginning of rate negotiations so we can be sure the contractor is getting a comparable rate.

If the role is niche and there is no-one else doing the role then this needs to be advised.

If necessary the first 12 weeks can be paid at a different rate but this **MUST** be reviewed at 10 weeks with the view of lifting the rate if required by the end of the 12 week qualifying period.

#### What do I need to do?

- Request the comparator details from the client or confirmation that it is a niche role
- Pass to Business Support so we can check that the rate offered is AWR compliant. Depending on the outcome, the pay and/or charge rate may need lifting in order to be compliant.
- Start potential negotiation/ or confirm agreed rates and complete the deal as normal in the knowledge that the worker is receiving fair treatment.