AGENCY WORKERS REGULATIONS 2010

Use of Temporary Agency Workers

All Schools and Functions should be seeking to limit the usage of agency workers and where possible cover staff shortages from existing resources. However on some occasions staff shortages cannot always be addressed in this manner and temporary staff are engaged from external sources including the use of temporary agency workers.

In light of the Agency Workers Regulations 2010 that came into force from 1 October 2011, should Schools or Functions intend to use a temporary agency worker, the relevant Hiring Manager will need to ensure the agency worker's pay and relevant terms and conditions are the same as those enjoyed by University of Reading staff once the agency worker has served the 12 week qualifying period.

Managers are urged to avoid engaging agency workers for anything more than short-term appointments (i.e. no more than 12 weeks); if you require guidance in this respect please contact your HR Partner in the first instance.

Agency Workers Regulations 2010 – Main Changes

In broad terms the Regulations will mean that:

Agency workers will have the same right to the same basic working and employment conditions as University of Reading employees after a *12 week qualifying period*.

The relevant terms and conditions affected are:

1. Pay: **including** holiday pay, paid bank holidays, overtime rates, shift allowances, unsocial hours premiums, performance bonuses, vouchers with monetary value (i.e. luncheon vouchers) **not including** sick pay, pension, maternity, paternity, adoption pay,redundancy pay, share option schemes, non performance related bonuses

2. Duration of working time

3. Night work

4. Rest periods and breaks

5. Annual leave

The right to the same basic working and employment conditions does not apply until an Agency worker has undertaken the same role, whether or not on one or more assignments, with the University of Reading for 12 continuous calendar weeks.

If there is a break of less than 6 weeks between assignments, continuity will be suspended rather than broken.

Day One Entitlements

There are certain entitlements that apply from the start of their assignment with the University. Agency workers from Day 1 will be entitled to the same access to University facilities such as catering outlets, childcare facilities and car parking. They will also be entitled to access information on job vacancies and this information can be found on www.reading.ac.uk/about/jobs. It will be the responsibility of the agency worker to view the vacancies as and when they wish to.

Arrangements from 1 October 2011

Our preferred Agency Worker providers (Pertemps, Tate, Blue Arrow and Reed) now have information in respect of the University's pay and grading structure and the University's main terms and conditions of employment and from 1 October 2011 the following process will be adopted by these agency worker providers:

a. When the line manager contacts the Temporary Agency provider they will be required to supply the Agency with a job description, person specification and the University Grade for the role;

b. The Temporary Agency will look to fill the vacancy in the normal way and prior to the actual assignment will provide the line manager with the following rates:

c. the hourly rate for the Temporary Agency worker at the start of the assignment;

d. the hourly rate to be charged to the hiring Department at the start of the assignment;

e. the hourly rate for the Temporary Agency worker from Week 13;

f. the hourly rate to be charged to the hiring Department from Week 13.

Should the School or Directorate use a Temporary Agency worker for 12 weeks or more the Agency will automatically uplift the Agency worker's hourly rate, if appropriate, to ensure their pay and terms and conditions have parity with equivalent staff working at the University of Reading.

If you have any queries or concerns regarding Temporary Agency workers, please contact your HR Partner/Advisor.

Further information on Agency Workers Regulations 2010