

Part Time Working Regulations

1. The Law

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. Law relates to “workers” and not just employees therefore 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.