

# **AWR**

## **Agency Workers Regulations**

The AWR came into force on 1st October 2011. The primary purpose of the AWR is to ensure that agency workers get no less favourable treatment, with respect to certain terms and conditions, than a comparable employee of the client, after a qualifying period. If there is no obvious comparator, then the client would pose the question 'what if we had employed the agency worker directly?', to determine what those terms and conditions should be for a particular agency worker, after the qualifying period.

**There are two parts to the AWR:**

### **part 1:**

This begins on the first day of your assignment. This part gives you the right of access to facilities of the client organisation e.g. staff catering facilities, childcare, parking, subject to right of access e.g. waiting lists for comparable employees. Agency workers also have the right to be informed of vacancies that the client may have.

### **part 2:**

If you have been engaged in the same assignment and the same role for a continuous 12 calendar weeks from 1st October 2011, you may be awarded further entitlements to include comparable pay and holidays, so long as you remain in that assignment.

Therefore, if you start a temp assignment through us on or before 1st October 2011, and are still in that booking 12 weeks later, you may be entitled to receive equal pay and holiday entitlement to a comparable person who is employed by the client, from that point on. Calculating the 12 week 'AWR clock' is not as straightforward as it looks, as breaks for sickness or holiday will 'pause' the 12 week AWR clock.

Please note that if you go to a different assignment, even if it is in the same organisation, the AWR clock will start again. Breaks of more than six continuous weeks are also likely to re-start the clock.

**for the complete guidance go to:**

<http://www.bis.gov.uk/assets/biscore/employment-matters/docs/a/11-949-agency-workers-regulationsguidance.pdf>

If you have a query or concern please do not hesitate to contact your consultant.