



AGENCY WORKERS REGULATIONS 2010 POLICY

ROCKETPAYE

1. ABOUT THIS POLICY

1.1 This policy applies to in-house staff, and deals with the company's policy in relation to Umbrella staff and the Agency Workers Regulations 2010.

1.2 This policy applies to the way in which the company ensures that its Umbrella staff achieve the benefit of the rights given to them by the regulations (ie enjoyment of rights equal to those they would have benefited from, had they been engaged directly by the client, after an initial qualifying period of 12 weeks).

1.3 This policy does not form part of any employee's or worker's contract of employment or engagement and we may amend it at any time.

2. POLICY STATEMENT

2.1 After an initial qualifying period of 12 weeks, an agency worker (and the company's Umbrella staff will generally be considered to be agency workers, for this purpose) is entitled to rights equal to those they would have benefited from, had they been engaged directly by the client.

2.2 Those rights include pay parity, and the rights to an equal amount of paid annual leave.

2.3 To assess whether the worker is in fact receiving those equal rights, we first need to know what equality 'looks like' – we need information. So, where a person who is Umbrella staff is placed with a client (either via an agency, or direct) a questionnaire in the appropriate form (to be found in the company's package of umbrella documentation) should be sent to the agency.

For the avoidance of doubt, this should be sent

(a) for an assignment of more than 12 weeks, at the start of the assignment; or

(b) in the case of an assignment of less than 12 weeks, at the start of the first extension, or (if sooner) as soon as it appears likely that the assignment will last more than 12 weeks.

2.4 If no response is received within 14 days, a reminder (again in the appropriate form, and to be found in the company's package of umbrella documentation) should be sent to the agency. Failure by an agency to respond to the initial request, and to a reminder, should generally be sufficient to transfer responsibility to the agency.

2.4 On a response being received, it will be evaluated, and a judgment made as to whether or not equality is achieved; there are spreadsheets in the company's package of umbrella documentation to assist with this evaluation.

2.5 If there is any doubt as to whether equality is achieved, the issue should be raised with the agency and the agency offered the opportunity to make adjustments (whether to the rate, or otherwise) to enable equality to be achieved.

2.6 If the agency is not prepared to make appropriate adjustments to enable equality to be achieved, the company should discuss with the worker, and should terminate the engagement with the agency.

2.7 In the case of long assignments (including any extensions),

- annual updates of the information obtained from the agency/hirer should be requested on each anniversary of the initial request (a suggested form, can be found in the company's package of umbrella documentation), and

- on a response being received, it will be evaluated, and a judgment made as to whether or not equality is achieved.

2.8 More information about the Agency Workers Regulations 2010 can be found in the guide to the Regulations, contained in the company's package of umbrella documentation.