



Overview of rights and responsibilities in the employment relationship

This factsheet provides a summary of the legal obligations between employers and employees in the employment relationship.

Regardless of what is written down in the employment contract, employees and employers are expected to abide by unwritten obligations:

Obligation of employee

Faithful service
Not to compete with the employer
Obey lawful and reasonable order
Exercise care and skill
Personal service
Maintain confidentiality

Obligation of employer

Pay agreed wages
Provide work
Provide a safe workplace
Pay out of pocket expenses
Maintain a relationship of trust

Employee legal rights

- Not to be discriminated against or suffer a detriment due to race, sex, marriage, disability, sexual orientation, religion, belief or age (from October 2006)
- To receive equal pay for work of equal value
- Not to be unfairly dismissed and not to be automatically unfairly dismissed
- Right to an itemised pay statement
- Right to maternity, paternity, adoption and parental benefits/leave
- Right to time off for dependents
- Right to request flexible working (including carers of adults from 6 April 2007)
- Right of notice of termination of employment
- No unlawful deduction from pay
- Right of redundancy payments
- The employer has a duty of care for the employee's health and safety in the workplace
- Right to statutory sick pay
- Right of reasonable time off
- Right to protected employment rights
- Access to trade union membership
- Right to a written reason for dismissal on request
- Right to a written statement of the terms of the contract
- Right to be paid at least the National Minimum Wage
- Right to receive four weeks' paid annual leave
- Protection from working on a Sunday for certain workers. Visit www.acas.org.uk and search under 'Sunday working.'
- The Working Time Directive limits the average working week to 48 hours. Visit www.cipd.co.uk and search under 'Working Time Regulations.'

- Payment on insolvency of employer
- Right to be accompanied at disciplinary and grievance hearings
- Protection for part time workers' terms and conditions under the Part Time Workers Regulations
- Protection for fixed term contract employees' terms and conditions under the Fixed Term Employees Regulations. Go to www.cipd.co.uk and search under 'Working Time Regulations.'

Legal obligations of the employer

All of the previously mentioned rights and also to:

- Register with the Inland Revenue if taking on an employee
- Register under the Data Protection Act and adhere to data protection principles. Visit www.informationcommissioner.gov.uk for more information.

**This information is taken from the publication *The Good Employment Guide (2005)*.
Find out more at www.ncvo-vol.org.uk/publications**

Further information

Free information can be obtained from the following organisations:

1) Acas: for new and existing employers
www.acas.org.uk

2) askNCVO: NCVO provides free information, signposting and services for trustees, staff and volunteers
www.askNCVO.org.uk

3) Business Link: Becoming an employer for the first time
www.businesslink.gov.uk

4) Department of Trade and Industry (Dti): For various employment matters
www.dti.gov.uk

5) The Inland Revenue: Link for new employers
www.inlandrevenue.gov.uk/employers/first_steps.htm

6) Registration under the Data Protection Act: Information Commissioner
Telephone: 01625 545 740