



BERR

Department for Business
Enterprise & Regulatory Reform

**NATIONAL MINIMUM WAGE GUIDE
FOR WORKERS**

Almost everyone who legally works in the UK is entitled to receive a minimum level of pay. This is called the national minimum wage. You can be paid more than the minimum wage but you must not be paid less.

The amount is set by law. It goes up on 1 October each year.

From 1 October 2008 the rates are

Workers aged 22 and over	£5.73
Workers aged 18-21	£4.77
Workers aged 16-17	£3.53

Generally if you are legally allowed to work in the UK your employer must pay you at least the appropriate minimum wage. This includes home-workers, agency workers, part-time workers, casual workers, pieceworkers and foreign workers. It does not matter how much experience you have.

There are a small number of workers who aren't eligible for the minimum wage. These are outlined on page 3.



People whose employers may not have to pay them the minimum wage



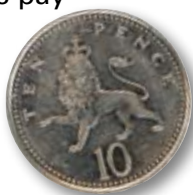
Some workers do not qualify for the minimum wage or only qualify after a set period of time. This may apply to you if you are:

- An apprentice under the age of 19
- An apprentice aged 19 or over in the first year of your apprenticeship
- A student on a work placement forming part of a UK higher or further education course if the work placement is for less than one year
- Taking part in the European Union's Leonardo da Vinci or Youth in Action programme
- On some DWP back-to-work schemes.

There may be other reasons why you aren't entitled to the minimum wage. If you are unsure contact the national minimum wage helpline on **0845 6000 678**.

How do I check that I am getting the minimum wage?

Sometimes it may not be clear if you are getting the minimum wage, for example if you are not clearly paid an agreed amount per hour. You can check by dividing the pay you receive for a particular period (known as the pay reference period) by the hours you worked. The national minimum wage helpline



can help you work out if you are being paid the minimum wage or you can check at www.direct.gov.uk/nmw

Not all of the money you receive from your employer can be counted towards your minimum wage pay.

Money which cannot be counted includes:

- Additional money over and above basic pay for overtime or shift work
- Allowances (e.g. for hazardous conditions or cost of living)
- Reimbursement of expenses incurred in the performance of the job (e.g. travel)
- Reimbursement of the cost of equipment to do the job (e.g. uniform, tools)

Money which can be counted includes:

- Basic pay (including tax and National Insurance contributions)
- Bonuses
- Commission

Sometimes people may be paid by the amount of work they do or for specific tasks instead of the hours they work. Under the law your employer must still pay you a certain rate if this applies to you.


For further information and to find out if you are being paid the minimum wage call the national minimum wage helpline on **0845 6000 678** or go to www.direct.gov.uk/nmw





Deductions from pay

Sometimes your employer may deduct money from your wages to pay for things like uniforms, transport or meals. If your employer does make deductions for these things then your pay after the deductions must still be at least the minimum wage.



The only time an employer can make a deduction from your wages which takes your pay below the minimum wage is if you live in accommodation provided by your employer. If the deduction of rent will take you below the minimum wage, even if that accommodation is not required in order for you to perform the work, the most your employer can take from your wages to pay for accommodation is £4.46 per day or £31.22 per week regardless of the rent you are charged.

For further information about accommodation charges or other deductions call the national minimum wage helpline on **0845 6000 678** or go to www.direct.gov.uk/nmw

What if I don't think I'm getting the right pay?

If you think you are not being paid the minimum wage you should call the national minimum wage helpline on **0845 6000 678**.

They will help you work out if you are being paid enough. If you are not getting the correct money they can help you get what you are owed. If your employer isn't paying you enough they can be fined as

well as having to pay you what they owe, backdated for up to six years.

You can make a complaint to the helpline anonymously if you wish.

For advice or to find out more about the minimum wage

- check www.direct.gov.uk/nmw
- email nmw@hmrc.gov.uk
- call the national minimum wage helpline on **0845 6000 678**. 9am – 5pm Monday to Friday. Calls are charged at local rate. The helpline can take calls in over 100 languages. To help us improve the quality of our service your call may be monitored or recorded. This is for internal training purposes only
- write to **National Minimum Wage Enquiries, Freepost PHQ1, Newcastle Upon Tyne, NE98 1ZH**

To make a complaint if you think you are not being paid the minimum wage

- call the national minimum wage helpline on **0845 6000 678**
- complete an online complaint form at www.hmrc.gov.uk/nmw/complaint.htm. An officer will contact you.
- write to National Minimum Wage Enquiries, Freepost PHQ1, Newcastle Upon Tyne, NE98 1ZH. An officer will contact you. You can get a complaint form by calling **0845 015 0010**





and quoting URN 07/1610 or from
www.berr.gov.uk/publications

You can make a complaint to the helpline anonymously if you wish.

Are agency workers entitled to the national minimum wage?

Agency workers are entitled to the national minimum wage and to some other rights at work.

There are also laws about the way employment agencies and employment businesses operate. The law covering employment agencies and employment businesses is enforced by the Employment Agency Standards (EAS) Inspectorate. The EAS Inspectorate investigates relevant complaints about employment agencies and employment businesses.

For advice or to find out more about employment agency standards

- check www.direct.gov.uk/agencyworkers
- call the **EAS Helpline on 0845 955 5105. 9.30am – 4.30pm Monday to Friday.**

Other rights at work

Workers in the UK benefit from a range of basic workplace rights and protections including paid holiday, limits on working hours, protection against discrimination and the right to a safe and healthy working environment.

For advice or to find out more about other protections at work

- check www.direct.gov.uk/employees
- call Acas on **08457 47 47 47**

If English is not your first language, this leaflet will be available in other languages. See www.berr.gov.uk/publications or call **0845 015 0010**.

The information contained in this leaflet is intended to provide general guidance only. It should not be regarded as a complete and authoritative statement of the law.

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