

## What if my employer says he will make up the rest of my pay with 'benefits in kind'?

There are strict rules about benefits in kind and the minimum wage. Some jobs provide benefits as well as payment in wages, such as free meals and accommodation or discounts off company products. The only benefit that an employer can count against the minimum wage is accommodation. There are special rules for calculating the value of your accommodation which counts towards the minimum wage.

## What if I am not being paid the national minimum wage?

The Government takes non-compliance with the minimum wage very seriously and has set up an enforcement body to deal with all complaints. So if you are not being paid what you are entitled to, call the helpline on **0845 6000 678** (calls are charged at local rates).

Alternatively, you can consult a Citizen's Advice Bureau, trade union, low pay unit or other advice centre, who will advise you about taking your case to an employment tribunal.

However in most cases, we advise you to call our helpline direct. You don't have to give your name but if you want our officers to try to obtain your underpayments, giving them your name and contact details will

help them. They may have to name you to your employer at a later stage in the enforcement process (e.g. when attending an employment tribunal on your behalf) but they will not do this without asking you first.

## How can I find out more?

Contact the minimum wage helpline on **0845 6000 678** to ask questions, seek confidential advice or to report underpayment. The helpline is run by Her Majesty's Revenue and Customs on behalf of the DTI.

Calls will be charged at local rate. To help us improve the quality of our service, your call may be monitored or recorded. This is for internal training purposes only.

Alternatively, you can write to minimum wage enquiries, Freepost PHQ1, Newcastle upon Tyne NE98 1ZH or visit the DTI minimum wage website at: <http://www.dti.gov.uk/er/nmw>

For people in England details on minimum earning levels for apprentices are available from the Learning and Skills Council (LSC) via its helpline **0870 900 6800**.

This leaflet is also available in large print, Braille and on audio cassette on demand. Call **0845 602 4027**, or write to DTI minimum wage, Freepost SE2693, London SE5 7XU.

For copies of the National Minimum Wage Act 1998 and subsequent National Minimum Wage Regulations, call The Stationery Office Parliamentary hotline on **0845 7023 474**.

**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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NATIONAL MINIMUM WAGE

A short guide for young workers

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If you have any enquiries about the minimum wage or if you think you are being underpaid, call the minimum wage helpline on:

**0845 6000 678**

For more detailed guidance call the minimum wage information line on:

**0845 8450 360**

and ask for a free copy of:  
*A detailed guide to the national minimum wage.*

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The DTI drives our ambition of 'prosperity for all' by working to create the best environment for business success in the UK. We help people and companies become more productive by promoting enterprise, innovation and creativity.

We champion UK business at home and abroad. We invest heavily in world-class science and technology. We protect the rights of working people and consumers. And we stand up for fair and open markets in the UK, Europe and the world.

**If you're 18-21 (inclusive) and working, then £4.25 per hour is the least you can expect.**

**If you are under 18 and working (and above compulsory school leaving age) then £3.00 per hour is the least you can expect.**

### What is the national minimum wage?

The minimum wage is the minimum level of pay to which almost all workers in the UK have a legal right. It became law on 1 April 1999. On **1 October 2005** the minimum hourly rate for 18-21 year olds (inclusive) was raised to £4.25 an hour, from £4.10 an hour.

### What about people under 18?

On **1 October 2004** a new rate for workers under the age of 18 who have ceased to be of compulsory school leaving age was introduced. This rate is £3.00 an hour.

Your employer will be breaking the law if he or she does not pay you the amount you are entitled to.

### Why are there lower rates for young people?

The Government takes advice from an independent body called the Low Pay Commission (LPC) on the level of pay rates. The LPC found that in countries where all workers regardless, of age,

are entitled to the same minimum rate, youth unemployment tends to be higher. This is because employers tend to recruit older, fully trained or more experienced workers if there is no lower minimum rate for people below a certain age.

Remember that the rates for young people are only the legal minimum. Employers can and often do pay more than the minimum wage.

### Does the national minimum wage apply to apprentices or trainees?

The minimum wage applies to workers. This means people who work under a contract for an employer. However, there are many kinds of trainees who work under a contract for an employer. Different rules apply depending on the type of trainee.

People on schemes at pre-apprenticeship level are exempt from the minimum wage. Apprentices aged 16 to 18 are exempt from the minimum wage but apprentices aged 19 and above qualify for the minimum wage after the first twelve months of their apprenticeship.

For information on particular types of trainee contact the minimum wage helpline on **0845 6000 678**.

### Minimum earnings level for apprentices

In England, from 1 August 2005 the Learning Skills Council made it a contractual requirement for training providers to introduce minimum earning levels for employed apprentices. The minimum weekly rate has been set at £80, a rate of £2.29 per hour for a 35-hour week. Part time apprentices should receive the same level pro-rata to their hours. **This requirement is not part of the national minimum wage.**

### What if my employer wants me to work for less than the national minimum wage?

If you are entitled to the minimum wage, then your employer must pay it. If he or she does not, your employer is breaking the law.

### What if my employer says I'm not entitled to the national minimum wage because I work part time?

It makes no difference whether you work part time or full time. The law applies to almost all workers, including those taken on casually without written contracts, those who work from home and those who are paid by commission. Check your entitlement to the minimum wage by ringing the helpline on **0845 6000 678**.