

How can I make sure I get the national minimum wage?

As long as you are entitled to the minimum wage, your employer cannot force you to accept a lower rate of pay. Even if you sign a contract agreeing to receive a lower rate of pay, this will have no legal effect.

If you think you are being paid less than the minimum wage, you have a right to see your records about it. As long as you make your request in writing, your employer must by law supply the records within 14 days. This deadline can be extended with your agreement.

If you have any problems or questions about the minimum wage, or if you think you are being underpaid, you should call the minimum wage helpline on **0845 6000 678**. Calls are dealt with in confidence and you can remain anonymous if you wish. But if you want minimum wage officers to try to get underpayments back for you, it will be easier for them to take the necessary action if they know your name and details. Officers may have to name you to your employer at a later stage in the enforcement process (for example if they need to go to an employment tribunal on your behalf to force the employer to pay up). They will not do this without checking with you first.

You can also take your case to an employment tribunal or a civil court, although you may wish to take advice from your local Citizens Advice Bureau or a trade union before doing so.

You are legally protected against being sacked or victimised by your employer over your entitlement to the minimum wage and over any action you may take to enforce your rights.

How can I find out more?

If you have any questions about the minimum wage or if you think you are being underpaid, call the minimum wage helpline on **0845 6000 678**. 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.

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>

This leaflet is also available in certain ethnic languages (Arabic, Bengali, Gujarati, Punjabi, Tamil, Urdu, Chinese).

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 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.

What is the national minimum wage?

The minimum wage is a legal right which covers almost all workers in the UK. It became UK law on 1 April 1999.

On **1 October 2005** the main rate of the minimum wage was raised to £5.05 an hour, from £4.85 an hour. The main rate applies from a worker's 22nd birthday.

On **1 October 2005** the youth rate of the minimum wage for workers aged 18 to 21 (inclusive) was raised to £4.25 an hour, from £4.10 an hour.

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

If you are starting a new job with a new employer and are aged 22 or over and you are being provided with accredited training, you will have to be paid, from 1 October 2005, at least £4.25 an hour (previously £4.10) for the first six months of your employment. In this case, you will have come to an agreement with your employer committing him or her to providing training on at least 26 days during that six-month period. *A detailed guide to the national minimum wage* explains which kinds of training are accredited.

Does it affect me?

Most workers in the UK, including homeworkers, agency workers, commission workers, part-time workers, casual workers and pieceworkers, are entitled to the minimum wage.

What counts as pay?

You may want to check that the pay you get is in line with the minimum wage, as not all the money you receive each week or month counts. While incentives, bonuses and performance related pay **do** count as pay for the purposes of the minimum wage, allowances such as regional allowances which are not consolidated into your basic pay **don't** count. Neither does any extra money above basic rates that you receive for working overtime or working shifts.

Benefits in kind such as uniforms, meals or private health insurance do not count. The only benefit in kind which does count is accommodation. There are special rules for calculating the value of your accommodation which counts towards the minimum wage.

For a complete list of what does and does not count as pay, see *A detailed guide to the national minimum wage*.

What counts as hours?

The hours for which your employer must pay you at least the minimum wage are calculated differently according to the type of work you do. There are four distinct types of work.

- If you are paid for working a set number of hours or a set period of time, you are doing **time work**;
- If you have a contract to work for a set number of basic hours each year in return for an annual salary paid in equal instalments (for example each week or each month), you are doing **salaried-hours work**;
- If you are paid according to the number of pieces you produce or by tasks you perform, you are doing **output work**. If you are an output worker you must either be paid under the "fair piece rate" system or the minimum wage for each hour worked;
- If you have to do a number of specific tasks, but do not have any set hours, you are doing **unmeasured work**. There is an option for you to have a written agreement with your employer setting out the average number of hours you should work each day.

A detailed guide to the national minimum wage provides more information on all these types of work and on employer agreements.