



CVS Rochdale **Policy Briefing**

Changing Employment Rights for **Agency Workers**

Organisations which use agency workers as a vital part of their workforce will need to be familiar with the Agency Workers Regulations 2010 which will come into effect on 1st October 2011.

The main focus of the regulations will be to give agency workers some employment rights equality with contracted employees for the first time. These rights will not be the complete and general rights accorded to part-time workers and fixed-term employees, but will cover areas such as working time, holidays and pay.

The rights to equal treatment will not apply until an agency worker has worked in the same role for a hirer for 12 continuous weeks. Any break between assignments of not more than six weeks will not break continuity for qualification purposes. This means if an agency worker returns to their previous role with a hirer within six weeks of their previous assignment, it will count as a period of continuous employment.

The regulations also state that from day one of their assignment, agency workers will be entitled to the same access to 'collective facilities and amenities' provided by the hirer as other employees. This could include access to the staff canteen, child care facilities or transport services.

Additionally, from day one of an assignment, agency workers will be entitled to be informed about any relevant vacant positions within the hirer's company.

Although the regulations are not due to come into force until October 2011, organisations that make use of agency staff will need to consider the possible implications of the changes for their strategic planning. Government guidance is not yet available, but Adecco, in conjunction with CIPD, have prepared a comprehensive guide which details all the nuances of the regulations. It can be [downloaded from the CIPD website](#).

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