

## Young people and employment

This fact sheet applies to young people who are **over school leaving age, and under 18**. Young people can leave school on the last Friday in June of the school year in which they are 16 (in Scotland, some pupils may be able to leave after Christmas). Young people in this age group who work are known as **young workers**.

If you are under school leaving age, see Further help at the end of this fact sheet for where you can find more information.

### General rules on employment of young workers

There are laws to protect the rights of people who work. These cover how much you must be paid, how much holiday you can take, when you can be sacked and so on. There are special laws to protect the rights of young workers. These concern your health and safety, what jobs you can do, when you can work, how many hours you can work, and time off for training. These laws are very strict, and an employer can be prosecuted for breaking them.

### Health and safety at work

If you are a young worker, your employer must do an **assessment** of possible **health and safety** risks, before they employ you. They must pay particular attention to your age, lack of experience, and other things that could be a risk to your health and safety.

There are special restrictions on the following types of work:

- work which you are not physically or mentally capable of doing
- work which brings you into contact with chemical agents, toxic material or radiation
- work which involves a health risk because of extreme cold, heat or vibration.

You are only allowed to do the work above under the following circumstances:

- where it is necessary for your training
- where an experienced person is supervising you
- where any risk is reduced to the lowest level that is reasonable.

These rules do not apply if you are doing short term or occasional work in a family business or in a private household, which is not considered to be harmful to you.

### Hours of work and rest breaks

If you are a young worker, the law says that you must not work more than **eight hours a day**, or more **than 40 hours a week**. You must have **twelve hours rest** between each working day, and **two rest days** per working week. You are also entitled to a **30-minute rest break** when you work for longer than four and a half hours. There are some exceptions to this (see below).

If you stay on at school, a local education authority can restrict the type of work and number of hours you can do.

## Night work

There are special limits on the hours you can work at night. You cannot usually work between 10pm and 6am. If you are contracted to work after 10pm, you must stop work at 11pm and not start again before 7am. There are some exceptions for people who work in hospitals, agriculture, retail, hotels and catering, bakeries, post/newspaper deliveries, or in connection with cultural, artistic, sporting or advertising activities. **You are not allowed to work between midnight and 4am, except in the most exceptional circumstances.**

These rules do not apply when:-

- your employer needs you to work to maintain continuity of service or production, or to respond to a sudden rush in demand; *and*
- doing the work would not affect your education or training; *and*
- no adult is available to do the work; *and*
- you are supervised by an adult (if this is necessary for your protection) and you are allowed a period of rest as compensation.

If you are allowed to work at night, you must first be given a **free assessment of your health and ability** to do the work. The assessment should be repeated at regular intervals. **You must not work more than eight hours in a 24-hour period.**

## Holidays

You are legally entitled to paid holiday in the same way as other workers. How much paid holiday you get depends on how many hours you work and when your leave year begins.

## Pay

### The National Minimum Wage

If you are 16 or over (and above school leaving age) you are entitled to earn a minimum wage. This is called the National Minimum Wage, which for workers aged under 18 is **£3.79 an hour**. If you are under 16, you are not entitled to the National Minimum Wage.

### Redundancy pay

Young people under 18 years old are not entitled to redundancy pay.

## Other rights

If you are an **employee**, you will have other rights at work, in addition to those already mentioned. You will probably be an employee, unless you are one of the following:

- a casual worker
- a freelancer
- a subcontractor.

If you are an employee, you will have a **contract of employment**, because you have agreed to work for your employer in return for pay. You will have a contract of employment, even if it is not in writing. The contract must include some minimum

rights, given by the law. Your contract may give you more rights than the minimum the law allows, but it cannot give you less. For example, your contract cannot give you less than four weeks paid holiday a year, if you work five days a week.

If your employer breaks your contract of employment, including any of the rights listed below, you may be able to take them to an **employment tribunal**. You should get help from an experienced employment adviser to do this (see Further help at the end of this fact sheet).

Rights you have as an employee include the right:

- to be given a **written statement** of the main terms of your employment, within 2 months of starting work
- to have a written **wage slip**
- **not to be treated unfairly** at work because of your age, sex, race, disability, sexual orientation, religion or belief
- to **notice of dismissal** from work (but you must have worked for your employer for at least one month)
- to a **written reason for dismissal** from work, but you must have worked, in most cases, for your employer for at least one year if you started before 6 April 2012 or at least two years if you started on or after 6 April 2012
- to **claim compensation** if you are unfairly dismissed, but you must have worked, in most cases, for your employer for at least one year if you started before 6 April 2012 or at least two years if you started on or after 6 April 2012, and you should raise a written grievance against your employer first
- not to have illegal deductions made from your pay
- to ask for **flexible working**.

You also have the right:-

- to paid **time off work to have a baby**
- to paid **time off work if your partner has had a baby** (but you must have worked for your employer for at least 26 weeks by the end of the 15<sup>th</sup> week before the baby is due),

## Time off for study or training

If you are an employee aged 16 or 17 and have not yet achieved a certain standard of education or training, you are entitled to reasonable time off work for study or training. The time off should be paid at your normal hourly rate.

## Working in a restaurant or bar

The law says that if you are aged under 18 and working as a waiter or waitress in a restaurant, you are allowed to serve or sell alcohol unsupervised, provided that the alcohol is to be drunk with a table meal in a part of the premises used only for serving meals.

People aged under 18 are also allowed to sell alcohol in a bar provided the sale is specifically approved by a responsible person, who will be the licence holder or manager.

However, in all cases, a local authority may have bye-laws which prevent people aged under 18 from selling alcohol except in sealed containers, such as cans or bottles, even if the licence holder gives their permission. If an authority has such a bye-law, a person employing someone aged under 18 to sell alcohol will be committing an offence, unless the alcohol is in a sealed container.

## Working for the armed forces

If you are under 18, you will usually need permission from both parents to join the armed forces. If your parents are separated or divorced, only the permission of the parent with whom you live is needed.

The armed forces have their own minimum age restrictions that reflect current recruitment needs. Details are available from your local armed forces careers offices.

## Trade union membership

Most trade unions allow young people to join at the age of 16.

## Further help

### Citizens Advice Bureau

Citizens Advice Bureaux give free, confidential, impartial and independent advice to help you solve problems. To find your nearest CAB, including those that give advice by e-mail, click on [nearest CAB](#), or look under C in your phone book.

### Other information on Adviceguide which might help

- Basic rights at work
- National Minimum Wage
- Employer withholds your pay
- Children and employment
- Holidays and holiday pay
- Working hours

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**This fact sheet was last updated on 30 June 2014, and is reviewed regularly. If it is some time since you obtained this fact sheet, please contact your local Citizens Advice Bureau to check if it is still correct. Or visit our website - [www.adviceguide.org.uk](http://www.adviceguide.org.uk) - where you can download an up-to-date copy.**