Youth and community part-time working – your rights at work
Youth and community part-time working – time to know your rights at work

Three quarters of youth and community workers work part-time – the overwhelming majority are on the youth support worker range. The 2013 youth and community workforce survey (England and Wales) indicates that 48% of the female and 29% of male workforce work part time compared to 13% of women and 10% of men working full time.

This survey also revealed spending cuts and redundancies are hitting part time youth and community workers hard. Since the last survey in 2012, overall the number of both full and part time employees had decreased by 7 per cent. And those workers left feel pressurised to do more work than the time available allows – especially with redundancies all around.

This is in addition to other challenges part time workers face at work. Part-time workers are less likely to have access to flexible working, training and career progression.

Part-time work but full-time rights

Working part-time can mean anything from working for just a few hours a week, to working almost full time. Across local government, anyone working anything less than 37 hours (36 in London) is seen as part-time.

Regardless of whether you are on JNC for Youth and Community Workers, NJC/SJC local or other terms and conditions in local government, employed on a permanent or fixed-term contract, part-time workers have the same statutory employment rights as any other employee. However, the benefits are normally ‘pro rata’, meaning that they are calculated in proportion to your hours.

The 2000 Part-time Workers (Prevention of Less Favourable Treatment) Regulations make it unlawful to treat part-time workers less favourably than their full-time counterparts. This is unless the difference in treatment can be justified on objective grounds. The regulations give you the right to:

- **Pay:** You have the right to equal treatment in terms of all forms of pay, including basic pay, expenses, bonuses and performance related pay.

- **Overtime:** Your employer can apply the same hours threshold to you as to a full time worker. So you may only be entitled to overtime pay once you have worked in excess of the normal hours of a full-time worker.

- **Holiday entitlement:** You are entitled to the same holidays as full-time workers, calculated on a pro-rata basis. Your employer cannot round down the number of days you are given as this would be less favourable treatment, but fractions of days may be given as hours.

- **Bank holidays and public holidays:** If you work fixed days each week and your employer gives staff additional time off for bank or public holidays, your employer should also provide you with additional time off pro rata even where your normal working pattern does not always coincide with public holidays.

- **Pensions:** You can be a member of the Local Government or Teachers Pension Scheme whatever your hours.

- **Sick Leave and Pay:** You are entitled to the same sick leave and pay entitlements as full time staff. This includes both
contractual and statutory sick leave and pay entitlements.

- **Family or carers’ related pay and leave:** You are entitled to the same rights to maternity, paternity and adoption leave and pay and parental leave as full time employees. If your employer provides more than the statutory entitlements, as a part-time worker you must also received these entitlements, calculated on a pro rata basis, reflecting the hours you work.

- **Redundancy:** It is unlawful for the employer to treat you less favourably because you work part time when selecting people for redundancy. You are entitled to equal treatment on redundancy pay which will usually be based either on your annual earnings.

- **Other workplace benefits:** You should not be excluded from workplace benefits if full time colleagues benefit from them (access to car parking, staff canteen, crèches, childcare provision, health care, travel loans, staff parties and staff discounts).

- **Training:** Training should be scheduled as far as possible to allow part-time workers to participate. Whilst on a training course (including a union course) you should be paid the same as a full-time colleague on the course if the length of the course means that it goes on past normal working hours.

- **Flexible working:** the right to request a transfer from full-time to part-time work: The regulations do not include a right to work part-time, but if you are an employee you may have the right to have a request to work flexibly, considered by your employer. (Request to increase/reduce working hours, time when you work.)

- **Treated less favourably:** If you receive less favourable treatment than a full-time employee of the opposite sex, you may have a claim for direct sex discrimination or equal pay.

**What is UNISON doing for part-time youth and community workers?**

UNISON believes that a “positively part-time” culture change is needed to achieve greater recognition of the contribution part-time working make. We want real equal treatment for our part-time members including equal pay for work of equal value, equal access to fair pensions and quality training and promotion.

**We are**

- calling on the Local Government Employers to adopt a “gender agenda” to improve the position of part-time workers
- providing advice and information for members and reps to enable you to assert your rights
- representing part-time workers in individual and collective grievances
- taking legal action where necessary and lobbying for stronger legislation. UNISON has had major successes in winning equal rights for part-time workers on pay, shift enhancements, paid bank holidays and pensions.
Three simple ways to join UNISON today:

- Join online at joinunison.org
- Call us on 0800 171 2193
- Ask your UNISON rep for an application form