

AGENCY WORKERS REGULATIONS (AWR)

AWR was introduced in 2011 and applies to “workers with a contract of employment or employment relationship with a temporary work agency who are assigned to user undertakings to work temporarily under their supervision and direction.”

AWR gives agency workers the right to the same basic working and employment conditions they would receive if they were engaged directly by an end user client to do the same job. Such rights are granted after the agency worker completes a 12-week qualifying period in the same role.

“Basic working and employment conditions” – as defined in the regulations (via the Temporary Agency Workers Directive), includes: pay, duration of working time, length of night work, rest periods, rest breaks, annual leave and paid time off for ante-natal appointments.

WHO DOES IT APPLY TO?

The regulations will affect individuals who find temporary work through an agency. This includes:

- Agency workers
- Agency workers contracted under an umbrella company

However, individuals who are genuinely self-employed i.e. in business (whether by way of a limited company or otherwise), of their own account and who do not work under the supervision and direction of the hirer are not “agency workers” and therefore outside of AWR scope (See IR35 for more information on “genuinely self-employed PSC’s”).

USEFUL INFORMATION (LINKS):

[The Conduct of Employment Agencies and Employment Business Regulations 2003](#)

[Agency Regulations: FAQs](#)

