

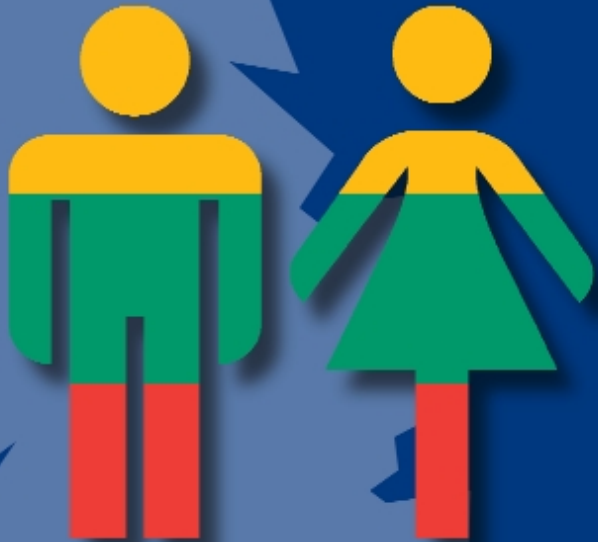


dti

**WORKING IN THE UNITED KINGDOM**

Know your rights and how to  
get help and advice

A GUIDE FOR LITHUANIAN WORKERS



On 1 May 2004 Lithuania joined the European Union. **As a Lithuanian citizen you therefore have the right to work in the United Kingdom. You should apply to register with the Home Office Worker Registration Scheme as soon as you have started a new job.**

One way of finding work in the UK is through a temporary work agency, either based in Lithuania or in the UK. If you are planning to work in this way you will find information in this leaflet about what you should do before leaving Lithuania, what your rights are in the UK and important contact details in Lithuania and the UK.

This leaflet can only cover the main points and you are advised to contact one of the EURES bureaux of the Lithuanian Labour Exchange (in Vilnius, Kaunas, Klaipeda, Panevezys, Siauliai, Utena, Taurage or Alytus) before you leave Lithuania. In the UK you can approach the Advisory, Conciliation and Arbitration Service (Acas), or the Trades Union Congress (TUC) for advice – you do not have to be a member of a British trade union. Citizens Advice Bureaux (CABx) are another good source of help. You will find a list of useful contacts at the end of this leaflet.

### **How do I register to work in the UK?**

As soon as you start working in the UK you must complete application form WRS giving your name, address, date of birth, nationality and employment details. You can get an application form and more information by telephoning **08705 210 2224** or visiting **[www.ind.homeoffice.gov.uk](http://www.ind.homeoffice.gov.uk)** or **[www.workingintheuk.gov.uk](http://www.workingintheuk.gov.uk)**.

With your first application you will need to send a letter from your employer confirming that you are working, two passport photos, your passport or ID card and a payment of £50. If you do not apply within one month of starting a job your employment will become illegal.

### **What are temporary work agencies?**

Temporary work agencies provide workers to 'user companies'. The agency recruits the workers, pays their wages and may provide accommodation and transport. The actual work, however, is done for the user company and that company decides how the work is carried out. So if you enter into a contract with a temporary agency it will pay your wages making any necessary deductions for tax and National Insurance. Meanwhile the agency has entered into a contract with a company to supply temporary workers to it. You will work for that company, and be subject to its control and direction.

### **Can I change to a direct contract with the user company?**

Yes, under UK or Lithuanian legislation the temporary agency cannot stop you.

### **Can I change to a different job?**

Yes. Your nearest Jobcentreplus can help you find permanent or temporary work. Remember that you will have to re-register with the Home Office if you change jobs.

# Employment law in the UK

## How much will I be paid?

All workers aged 18 years or over are entitled to the **National Minimum Wage (NMW)**. If you are 18, 19, 20 or 21 years old you must receive at least £3.80 an hour and if you are aged 22 or over you must receive at least £4.50 an hour.

If you are hired to do manual harvesting work you are entitled to the **Agricultural Minimum Wage**. In England and Wales you must be paid at least £4.50 an hour if you are 19 years old or older. If you do other agricultural work you must be paid at least £5.15 an hour. If you work more than 39 hours a week on a farm, you are entitled to overtime pay which is one and a half times your basic hourly wage.

*All the hourly rates above are revised from time to time. Different rates of Agricultural Minimum Wage apply in Scotland and Northern Ireland. If you are in doubt, ring the contact numbers listed at the end of this leaflet.*

## Can my employer make deductions from my wages?

Employers can only make deductions from your wages for:

1. Accommodation. The amount the agency can deduct is limited by law. If you are paid no more than the National Minimum Wage or Agricultural Minimum Wage your employer cannot deduct more than £24.50 a week (this amount is revised from time to time).

2. Tax and National Insurance. See below for more details.
3. Transport. If you work in agriculture you must still be paid the agricultural minimum wage after money has been deducted from your wages to pay for transport.

No other deductions may be made without your agreement in writing (e.g. in your contract). In particular, a temporary work agency cannot demand any payment from you for processing your pay or providing safety equipment. The agency may offer to provide you with other services, for example training in additional skills, for which there is a charge. However it cannot make the provision of its work finding services conditional on you using those other services.

Your employer may ask you to sign a separate agreement asking you to agree to pay more for your accommodation or other things such as transport. If you are not given any choice about where you live or what services you use such deductions may be illegal. Before you sign an agreement ask for advice.

### **Will I have to pay UK tax and National Insurance?**

UK tax will be payable on your wages for UK work. Your employer will make the necessary arrangements and deduct the money from your wages.

You will not have to pay UK social security contributions (known as National Insurance) if your

contract with a temporary work agency was signed in Lithuania and you pay your social security contributions in Lithuania. You will need a form E101 (available from any regional State Patient Fund office). The form E101 will confirm you pay social security contributions to Lithuania and will prevent a demand for UK National Insurance contributions.

If you enter into a contract in the UK, either with an agency or a direct employer you will have to pay National Insurance to the UK. Your employer will make the necessary arrangements and deduct the money from your wages. If you are paying tax and National Insurance you will have a National Insurance number. Make sure you know what this number is. Your employer should help you here, if not go to the nearest Jobcentreplus.

In addition to paying UK tax, you may also have to pay tax in Lithuania if you are resident there for tax purposes. In that case, if the tax you pay in the UK is less than the tax due on the same income in Lithuania, you will have to pay the difference to Lithuania. Further advice is available from the Lithuanian Tax Inspection.

### **What if I fall ill/get injured/get pregnant?**

You are generally entitled to free treatment from the UK National Health Service, but certain costs are due from patients for prescribed medicines, dental treatment and some opticians' fees. To claim this treatment you will need to have form E128, provided you pay social security contributions to Lithuania. The form E128, which should be completed before you leave Lithuania, is used in the UK to

confirm entitlement to National Health Service treatment. You can get the form from any regional State Patient Fund office.

If you come to the UK to work and are liable to pay UK National Insurance contributions, the form E128 will not apply to you. You will be able to obtain healthcare under the UK National Health Service without it. If you are paying UK tax and National Insurance you may be able to claim maternity benefit or incapacity (sickness) benefit if, for health reasons, you are unable to work for four or more consecutive days. Contact your local Inland Revenue office in the UK to find out more. You will need your National Insurance number to make a claim.

If you are not paying UK contributions and become sick or pregnant contact your local Social Security office for advice about State benefits.

### **Will I have to work long hours?**

You cannot be required to work more than 48 hours a week, averaged over 17 weeks (over 26 weeks if you are working on a farm) unless you have agreed in writing that you are willing to do so.

### **Will I get time off?**

You are entitled to four working weeks' paid holiday a year. So if you have a contract for a year's work and work five days a week you are entitled to 20 days' paid holiday. If your contract is for six months and you work five days a week you are entitled to 10 days' paid holiday. These days may include public holidays – check what is set out in your contract.

If you work in the agricultural sector you are entitled to 22 days' paid holiday a year (11 days if you are on a six month contract) plus public holidays.

If you have not taken all the holidays you are entitled to when your contract ends your employer must pay you for the days you have not taken.

### **What if the place I work is dangerous or unhealthy?**

Your employer and the employment agency are required by law to ensure a good standard of health and safety for you and to give you any training you need to do your work safely. If you are worried, contact the Health and Safety Executive.

### **Anything else?**

Check your contract and any other documents you are asked to sign and make sure you really understand what you are agreeing to before you sign it. If it's not clear, ask the agency to explain. Do not sign anything you do not understand.

Never give your passport to anyone else. If someone has your passport and won't give it back, report them to the police. You have nothing to fear from the British police.

Remember that the work you will be expected to do may be very hard and tiring. If you don't think you will be physically up to the job on offer, you should consider other work.

## Useful Contacts

### In Lithuania

British Embassy Vilnius  
Antakalnio g. 2  
LT-10308 Vilnius  
Tel +3705 246 2900  
be-vilnius@britain.lt  
www.britain.lt

State Tax Inspectorate  
Vasario 16-osios g. 15  
LT-01514 Vilnius  
Tel +3705 268 7802  
vmi@vmi.lt  
www.vmi.lt

State Patient Fund  
Gerosios Vilties g. 1A  
LT-03505 Vilnius  
Tel +3705 213 9727  
vlik@vlik.lt  
www.vlik.lt

## In the UK

Lithuanian Consulate General  
84 Gloucester Place  
London W1U 6AU  
Tel 020 7486 6404

St Casimir's Church  
21 The Oval  
Hackney Road  
London E2 9DT  
Tel 020 7739 8735  
[www.londonas.co.uk](http://www.londonas.co.uk)

Trades Union Congress  
Migrant Workers Project  
Congress House  
Great Russell Street  
London WC1B 3LS

'Know Your Rights' Line  
Tel 0870 600 4882  
email [ctp@tuc.org.uk](mailto:ctp@tuc.org.uk)

Citizens Advice Bureau (CAB) see local telephone directory.

Department of Trade and Industry (DTI) –  
Employment Agency Standards Inspectorate  
Tel 0845 955 5105

Health and Safety Executive  
Tel 08701 545500

National Minimum Wage Helpline  
Tel 0845 6000 678  
Northern Ireland Tel 0845 6500207

Agricultural Wages Board Helplines  
England or Wales Tel 0845 000 134  
Scotland Tel 0131 244 6392  
Northern Ireland Tel 02890 520813

Inland Revenue – see local telephone directory  
for nearest office.

JobCentreplus/Social Security Offices – see local  
telephone directory.

Advisory, Conciliation and Arbitration Service (Acas)  
Tel 0845 7474747  
Northern Ireland Tel 02890 321 442



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.



Printed in the UK on recycled paper with a minimum HMSO score of 75.

First Published April 2004. Department of Trade and Industry.

© Crown Copyright. <http://www.dti.gov.uk/>

DTI/Pub 7300/3k/05/04/NP.

URN 04/945