

# Warning to employers taking on Christmas workers

Submitted by: Dabbs PR & Marketing

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PRESS INFORMATION - media enquiries to Sam Dabbs - 07711 672893

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Companies taking on temporary workers in the run-up to Christmas should ensure they are given the same rights and privileges as other staff or run the risk of employment tribunals, warns law firm DWF.

It says that retail, leisure and other businesses which employ seasonal workers to cope with the sudden sharp increase in demand often fail to comply with employment legislation.

Emma Harvey, partner with DWF says: "Temporary workers other than agency staff are still considered as employees in the eyes of the law and cannot be treated any less favourably than permanent staff doing the same type of job.

"Employers should not use their fixed-term status to avoid issuing them with an employment contract, or giving them paid holidays and similar benefits. However you may be able to justify not giving them a company car or pension benefits."

Harvey has the following tips for employers:

- Ensure you carry out all the relevant pre-employment checks, for example health examinations, Criminal Record Bureau checks for workers who come into contact with children, and checking visas and work permits for foreign nationals.
- Make sure that temporary workers understand your policies as you will still be liable for their actions, for example if their behaviour leads to claims of harassment or discrimination.
- In general temporary workers are entitled to paid holiday and the protection of the working time regulations. They must also be paid at least the minimum wage.
- Employers are obliged to conduct risk assessments under the Management of Health and Safety at Work Regulations 1999. Bear in mind that temporary, casual and seasonal workers may be especially vulnerable to injury if they are working in an unfamiliar environment without appropriate training.
- Temporary workers can sometimes be less reliable than permanent staff which can defeat the purpose of employing them. Put an absence management policy in place and inform them of your disciplinary procedures.
- All employees working more than six hours are entitled to a rest break of at least 20 minutes.
- Give temporary employees an exit interview – it's not only a good way to gain feedback and learn how the company compares to others, including any competitors they have worked for, and also to check

they have returned your equipment!

Harvey adds: "Employers taking on staff for short periods sometimes fail to go through the proper procedures. Despite the temporary nature of the work, it is still important to comply with employment regulations or you run the risk of being taken to a tribunal."

-ENDS-

Notes to editors:

DWF LLP is one of the fastest growing regional law firms in the UK and has recently merged with Ricksons. With over 830 people based in Manchester, Leeds, Liverpool and Preston, DWF provides a range of services grouped under the following practice areas:

- Corporate
- Banking & Finance
- Business Recovery
- Litigation
- Real Estate
- People
- Insurance
- Private Client

DWF has developed extensive sector-specific expertise in a number of areas including: automotive, education, retail & leisure, legal expenses and food and resourcing.

Further information on DWF is available via [www.dwf.co.uk](http://www.dwf.co.uk)

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