

KNOW YOUR RIGHTS



WWW.UNISON-NI.ORG.UK

**UNISON NI
IN SOCIAL
CARE**



IMPORTANT INFORMATION

This pocket-sized information booklet is for reference only. You should talk to your UNISON representative if you have any concerns at work

The information in this booklet is correct at the time of printing; employment terms and laws may change. For the most up-to-date information, consult your UNISON representative or local branch

2025

JOINING UNISON



**YOU HAVE
THE RIGHT TO:**



Join UNISON

**Get active in
UNISON**
although this may be
in your own time



**YOUR EMPLOYER
CANNOT:**

**Prevent you from
joining UNISON**

**Offer you benefits
not to join UNISON**

**Treat you unfairly
for joining UNISON**

WORKING TIME



You must have an unpaid break of 20 minutes, away from your work space, if you work over 6 hours. This could be paid if your contract allows

You are entitled to an uninterrupted 11 hour break from work every 24 hours. Shift workers are exempt but the employer should provide compensatory rest



**DAY
OFF**

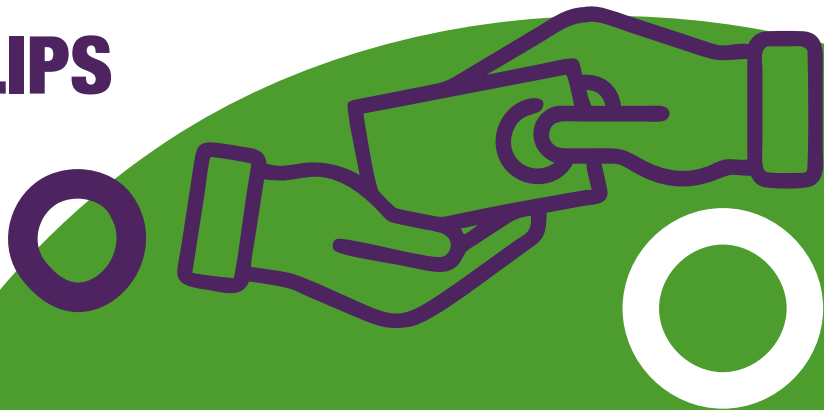
You must have a 24 hour break every 7 days or a 48 hour break every 14 days

A stylized illustration on a dark purple background. A white-outlined hand is shown holding a large, dark purple circle. Inside this circle, the word "PAY" is written in bold, green, sans-serif capital letters. In the top left corner, there is a small white circle. In the top right corner, there is a large green semi-circle.

PAY

- Your employer must pay you at least the National Minimum Wage for each hour you work
- Look at www.gov.uk for the latest National Minimum Wage rates
- Your employer must pay you for the work you have done
- Overtime and Bank Holidays can be paid at your normal rate or more. Your contract will specify any overtime rates or other enhancements

PAYSLIPS



Your employer must provide you with a payslip on or before your payday

If you are paid by the hour, your payslip must have the number of hours and rate of pay shown

Your payslip should also have your total pay earned and any deductions listed, such as Tax, National Insurance, Pension

CONTRACT



Your employer must provide you with a written statement of employment particulars within two months of starting employment. This should include: **pay, workplace, hours of work, holidays, sick pay, length of contract and notice periods**

You can ask for a copy of your contract and Statement of Particulars at any time and keep a copy at home

Not all of your contract of employment will be written down. Policies and procedures, a Staff Handbook and local custom and practice can also form part of your contract of employment and terms and conditions

CONTRACT CHANGES



- A contract is an agreement between you and your employer
- Your employer cannot change your terms and conditions without consultation and express agreement (unless your contract allows your employer to vary your contract, in which case appropriate notice must be given)
- If your employer is trying to change your terms and conditions, you should speak to your colleagues and UNISON to collectively challenge proposed changes

CONTRACTUAL HOURS

If your contract provides for a minimum number of hours, then your employer must provide you with this work

If your employer cannot provide you with this number of hours, then they must still pay you



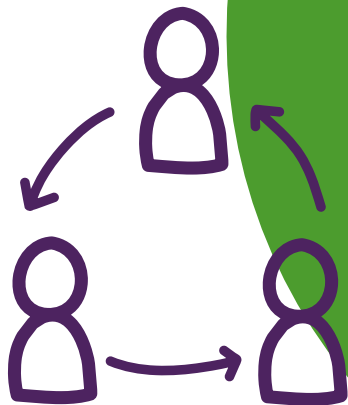
TUPE OR CHANGE OF EMPLOYER

This is when your employer is changing but you are not leaving your job e.g. your employer is selling their business or another provider has won the contract

When this happens, there should be consultation and your current pay, terms and conditions and continuity of service should be protected

If any changes (or 'measures') are proposed, you should be informed and consulted on any changes. As with any other proposed contractual change, your contract cannot be varied without your agreement

If you are a UNISON member, request UNISON representation during meetings with your employer





GRIEVANCE

- Grievances are used to raise an issue, concern or complaint at work
- If the issue affects you and your colleagues, you can raise a grievance together - this is called a collective grievance
- You should put your complaint in writing
- If you are a UNISON member, you are entitled to UNISON representation at grievance meetings



DISCIPLINARY

- Your employer must inform you in writing if they are taking disciplinary action. This should include notification of the specific allegation/s and any relevant evidence
- If you are a UNISON member, you are entitled to be accompanied in any formal meetings by your trade union representative
- 'Fact Finding' or 'Investigation Meetings' are informal, but you should get advice from your UNISON rep before attending
- Your employer must state what the potential outcome of a meeting could be
- **You always have the right to appeal**
- Resigning will not make the problem go away, you should discuss your options with your UNISON rep before making any decision to resign

TRAINING



Your employer must give you the appropriate training for your job

You should not do jobs that require training if you haven't been given it. For example, you should not lift someone without manual handling training

Your employer must pay you for all mandatory/compulsory training, including online training

HEALTH & SAFETY



Your employer has a responsibility to ensure you are safe at work, this can include: Training, Equipment, Personal Protective Equipment (PPE), Risk Assessments and Fire Safety

You can see and comment on Risk Assessments to ensure you are safe at work - and you also have the right to request an individual Risk Assessment



Employers have a duty to consult with you or your UNISON reps on Health and Safety matters

SICK PAY & LEAVE



- You may be entitled to pay while you are unable to work due to illness
- Check your contract of employment if your employer provides Occupational Sick Pay (OSP). If your employer does not provide OSP, you may be entitled to Statutory Sick Pay (SSP) if you meet the eligibility criteria, which can be found at [nidirect.gov.uk](https://www.nidirect.gov.uk)



- If you are absent for a long time, your employer might ask you to see an Occupational Health professional. It is always best to agree, as they can help you and your employer prepare for your return to work
- You are entitled to trade union representation if your employer invites you to a formal meeting about your attendance
- You can still be dismissed for sickness absence even with a Doctors' note

PREGNANCY & MATERNITY

- You cannot be treated unfairly during pregnancy and maternity
- You are entitled to paid time off to attend antenatal appointments
- Check your contract of employment if your employer provides Additional Occupational Maternity Pay. If your employer does not provide Additional Maternity Pay, you may be entitled to Statutory Maternity Pay (SMP) if you meet the eligibility criteria, which can be found at nidirect.gov.uk
- Check your contract of employment to see if you are entitled to additional occupational maternity pay

- You should be informed of workplace changes while on Maternity Leave
- You are entitled to return to the same job or a similar job with the same terms and conditions
- Check your workplace policy for 'Keeping in Touch Days' while on Maternity Leave
- If you are the partner of someone who is pregnant, you may be entitled to paternity leave or shared parental leave and pay. For more information contact your UNISON rep or visit the NI Direct website



PART TIME WORKING

Under the law, part-time workers cannot be treated less favourably than full-time workers. This includes pay rates, holiday entitlement (pro-rata for part-time workers based on a full-time worker's holiday entitlement), and promotional opportunities



HOLIDAYS

You are entitled to at least 28 days' holiday per year (pro-rata for part-time workers), which can include Bank Holidays. There is a holiday calculator on NI Direct which can help calculate your entitlement

Your employer can tell you when to take your holidays but they must give you notice



FAMILY FRIENDLY POLICIES

- You can request flexible working however, your employer can refuse this due to operational needs
- You are allowed 'reasonable' time off to deal with an emergency involving a dependent. Your company may pay you for this, but they don't have to. Check your contract of employment or Staff Handbook to see if there is provision for paid emergency carer's leave



You may also be eligible for unpaid parental leave, check the NI Direct website for current entitlements

SAFEGUARDING & WHISTLEBLOWING

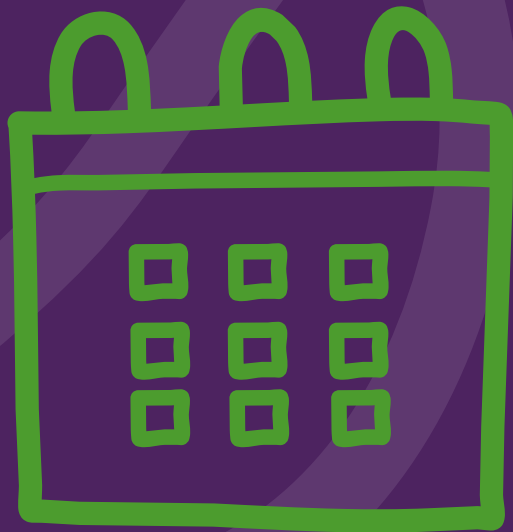


- Safeguarding can be worrying. You should report any safeguarding issues in writing to your employer
- You should report all safeguarding issues to your employer before raising this anywhere else. Check if your employer has a Whistleblowing Policy
- If you are whistleblowing, you must use the word 'whistleblowing' in writing to protect yourself
- It is unlawful to be subjected to detriment or dismissal for whistleblowing

NOTICE PERIODS

- This is how much time your employer must give you to end your contract if you are being dismissed for some reason other than gross misconduct
- It depends on your contract, but the statutory lengths are:
 - if you've worked 1 months-2 years: 1 week
 - if you've worked 2-12 years: 1 week per year worked
 - if you've worked 12+ years: 12 weeks

- Your contract will say how long a notice period you must give, and how to resign
- If you want to resign you must give the notice stated on your contract or 1 weeks' notice, whichever is longer



MIGRANT WORKERS

Migrant workers are people who come from other countries to work in the UK

Protection

Migrant workers are protected by UK employment laws, have the right to be paid annual leave and statutory sick pay, and must pay tax and national insurance

They have the same right to be protected from discrimination by their employer. This includes discrimination because of your age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexuality



Pay

Migrant workers have the right to equal pay to other workers doing the same job.

Migrant workers have the right to be paid at least the National Minimum Wage for each hour of work

Further Advice and Support

UNISON provides free immigration telephone advice

If you need confidential immigration advice, please call
UNISON Direct at 0800 0 857 857 or 02890270190

UNISON Migrant Workers Network:

<https://www.unison.org.uk/unison-migrant-worker-network/>



PERSONAL INJURY

As a UNISON member, if you are injured or involved in an accident, at or outside of work, on the roads or on holiday, we're here to protect you, providing the legal expertise you need to secure compensation for your injuries

Your case will be handled by an expert lawyer and – thanks to your UNISON membership – you won't pay a penny in legal fees and will keep 100% of the compensation



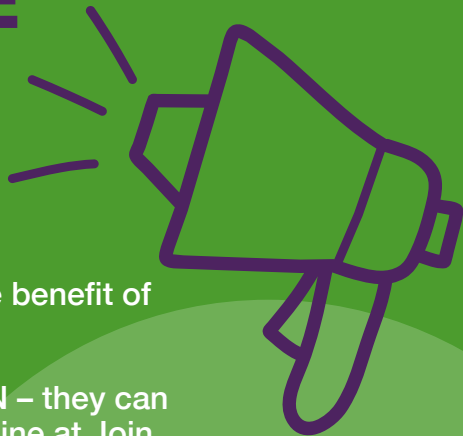
Even if the accident seems small or if you're not sure who was at fault - call 0800 0 857 857 to access advice

YOUR UNION. YOUR VOICE. YOUR WORKPLACE

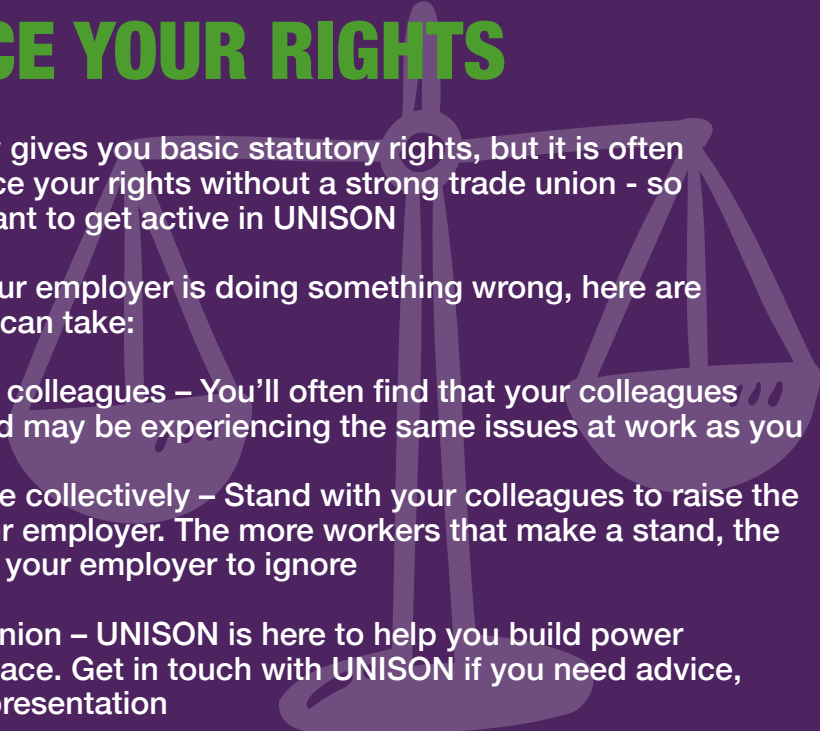
Coming together collectively in your workplace gives you a stronger voice

Here are three ways to strengthen your collective voice at work:

1. Speak to your colleagues about the benefit of UNISON membership
2. Ask your colleagues to join UNISON – they can do it confidentially and securely online at [Join UNISON](#)
3. Contact your local rep and branch to access support -- or become a rep yourself!



ENFORCE YOUR RIGHTS



Employment law gives you basic statutory rights, but it is often difficult to enforce your rights without a strong trade union - so it's really important to get active in UNISON

If you believe your employer is doing something wrong, here are some steps you can take:

1. **Speak to your colleagues** – You'll often find that your colleagues care about and may be experiencing the same issues at work as you
2. **Raise the issue collectively** – Stand with your colleagues to raise the issue with your employer. The more workers that make a stand, the harder it is for your employer to ignore
3. **Involve your union** – UNISON is here to help you build power in your workplace. Get in touch with UNISON if you need advice, support or representation

USEFUL INFORMATION

Join UNISON:

join.unison.org.uk

UNISON Northern Ireland:

unison-ni.org.uk

UNISON National:

unison.org.uk

Info on statutory entitlements:

Labour Relations Agency - ira.org.uk

NI Direct - nidirect.gov.uk

Law Centre NI - [www.lawcentreni.org/
get-legal-help/employment/](https://www.lawcentreni.org/get-legal-help/employment/)



Any questions?
Contact your branch

NEED SUPPORT OR ADVICE



If you need help, representation or have any questions about your rights, contact your local branch or UNISON Direct: 0800 0857 857

Members experiencing financial and emotional difficulties can contact UNISON's welfare charity, There for You, which provides a confidential advice and support service for members and their dependants

**UNISON**
Northern Ireland

FURTHER INFORMATION

These are your minimum employment rights, but your employer and contract may give you better arrangements

Employment law and workplace procedures are much more complex than what can be easily reproduced in a booklet this size

UNISON representatives are fully trained to advise you in much more detail. If you have any concerns, get in touch with UNISON as soon as possible as many legal claims have strict time limits



EDUCATION AND TRAINING

All social care workers/managers who are registered with NMC/NISCC must complete training and revalidation learning within a 3 or 5-year period, depending on their renewal cycle



Our UNISON College offers a range of free training workshops for members to support and develop their social care practice. These workshops count towards your continuous professional development. Topics include dementia, palliative care, autism, leadership, tissue viability, stoma care, supporting staff and mindfulness

**You can get more information on our free courses at
unison.org.uk/education and training or email
EducationNI@unison.co.uk**

UNISON IS YOUR UNION SO GET INVOLVED AND GET ACTIVE



to sign up:
Scan the QR Code

or visit
unison-ni.org.uk/become-unison-rep



STAND UP FOR SOCIAL CARE

CONTACT US



UNISON Galway House 165 York Street Belfast BT15 1AL



028 90270190



www.unison-ni.org.uk



Unison Social Care Workers Connect

