

Understanding AWR - Week 12 Entitlements

AWR: Week 12 Entitlements

The key to smooth implementation of AWR is good communication throughout the contract chain, establishing communication routes and processes for the transmission of compliance information, of which comparator 'pay' (week 12 entitlements) data is classed.

The sole responsibility of ensuring and communicating Week 12 Entitlements for each worker lies with the hirer. The hirer must ensure on week 12 of the qualifying period the agency workers receive the same basic terms and conditions of employment as if directly employed.

What information should be supplied?

The extent of information you as a hirer need to supply depends on what type of contract your worker has entered into with us, their employer.

If a **Non-Derogated**¹ (Traditional) contract is being utilised then both "Working Conditions" and "Pay" related elements of the comparator information to follow must be supplied.

If your worker is on a **Swedish Derogated**² contract of employment, then just the "Working Conditions" related element need to be supplied as pay between assignments will be provided and Pay related element are not necessary.

Here's a breakdown of some terms and conditions of employment which may be affected. These should be provided and communicated to all temporary workers at week 12 of the qualifying period.

Working Conditions

Must be supplied for both "Derogated" and "Non-Derogated" Traditional contracts

The same working time rights:

- Annual leave.
- Night work.
- Duration of working time, where working times are limited to a maximum.
- Rest periods and breaks.
- Paid time off for antenatal appointments, for pregnant workers.

¹ Non-Derogated or traditional over-arching contracts make no allowance for pay between assignments so comparator information must be supplied.

² Swedish Derogated contracts allow the employer to make payments between assignments which means they adhere to AWR guideline without the need to supply pay related comparator information.