

| | |
|---|--|
| ID | 20 |
| What is your name? | |
| Which best describes you? - Response Category | Trade union or staff association |
| Which best describes you? - If other please specify | |
| If you are responding as an individual, what best describes your employment status? - Employment status | |
| How would you classify your organisation/the organisation you work for? - Organisation type | Private sector organisation |
| How would you classify your organisation/the organisation you work for? - other | |
| If you are an employee/worker or an employer, how many people work for your organisation? - Size of employer | |
| If you represent employers or employees/workers, who do you represent? - Representatives | A trade union |
| If you represent employers or employees/workers, who do you represent? - If other please specify | |
| Are you happy for your response to be published? | Yes, but without identifying information |
| How did you hear about this consultation? | |
| How did you hear about this consultation? - Other | Via union Headoffice |
| Section 1: Improving the transparency of information provided to work seekers | |
| To what extent would you agree that a 'key facts' page would support work seekers in making decisions about work? - Opinion on key facts | Not Answered |
| To what extent would you agree that a 'key facts' page would support work seekers in making decisions about work? - What key facts should be made prominent | |
| To what extent would you agree that a 'key facts' page would support work seekers in making decisions about work? - Reasons for disagreement | |
| Thinking about work seekers and employers in the recruitment sector, would ensuring work seekers are provided with a key facts page have a: - Please select an option - Individual work seekers | |
| Thinking about work seekers and employers in the recruitment sector, would ensuring work seekers are provided with a key facts | |

| | |
|---|--------------|
| page have a: - Please select an option - Employers in the recruitment sector | |
| What information would be important to include in a "key facts" page? - Please type your response in the box below. | |
| What conditions should be in place to ensure the 'key facts' page is provided and understood by the work seeker before any contractual engagement? | |
| Should an employment business be required to ensure that the work seeker understands fully the information being given to them? | Not Answered |
| Should an employment business be required to ensure that the work seeker understands fully the information being given to them? - If yes, how do you think this should be achieved? | |
| Do you feel an hour is an accurate estimate of the time it would take to produce information document for a work seeker? - Time taken to produce an information document | Not Answered |
| Do you feel an hour is an accurate estimate of the time it would take to produce information document for a work seeker? - If too high or too low, please provide reasons for your answer: | |
| Other than the time taken by personnel to produce a "key facts" document, are there other business costs we should be aware of? - Other business costs | Not Answered |
| Other than the time taken by personnel to produce a "key facts" document, are there other business costs we should be aware of? - If you answered yes please provide details | |
| Section 2: Extending the Remit of the Employment Agency Standards inspectorate to cover umbrella companies and intermediaries in the supply chain | |
| Have you or are you currently using an umbrella/intermediary? | Not Answered |
| Have you or are you currently using an umbrella/intermediary? - If so, for what reason? | |
| Do you know of any examples of the benefits and/or problems for agency workers of using an umbrella company or intermediary? | |
| Should the extension of the remit of the Employment Agency Standards inspectorate to cover the regulation of certain activities of umbrella companies and intermediaries in the supply of work seekers to a hirer - Be limited to the regulation of the key facts | |

| | |
|---|--|
| page and provision of information relevant to those facts as part of a work offer by the hirer or employer? | |
| Should the extension of the remit of the Employment Agency Standards inspectorate to cover the regulation of certain activities of umbrella companies and intermediaries in the supply of work seekers to a hirer - Be aligned to the regulation of the types of employment rights already regulated by EAS under the current legislative framework such as non-payment of wages, deductions from wages which the work seeker has not agreed too, and failure to provide written terms and conditions before the assignment starts? | |
| Should the extension of the remit of the Employment Agency Standards inspectorate to cover the regulation of certain activities of umbrella companies and intermediaries in the supply of work seekers to a hirer - Please provide reasons for your answer below | |
| Thinking about work seekers and employers in the recruitment sector, what impact would ensuring umbrella companies provide work seekers with a key facts page have on: Individual work seekers | |
| Thinking about work seekers and employers in the recruitment sector, what impact would ensuring umbrella companies provide work seekers with a key facts page have on: Employers in the recruitment sector | |
| Thinking about work seekers and employers in the recruitment sector, what impact would ensuring umbrella companies provide work seekers with a key facts page have: Please provide reasons for your answers below | |
| Thinking about work seekers and employers in the recruitment sector, what impact would extending the regulations of the Employment Agency Standards inspectorate to cover umbrella companies have on: Individual work seekers | |
| Thinking about work seekers and employers in the recruitment sector, what impact would extending the regulations of the Employment Agency Standards inspectorate to cover umbrella companies have on: Employers in the recruitment sector | |

| | |
|--|---|
| Thinking about work seekers and employers in the recruitment sector, what impact would extending the regulations of the Employment Agency Standards inspectorate to cover umbrella companies have on: Please provide reasons for your answer below | |
| Section 3: Ensuring the Swedish Derogation is used appropriately | |
| Have you used or are you currently using a pay between assignments contract (PBA)? | Yes |
| In your experience what are the benefits and any problems associated with working on a PBA contract basis? | <p>As a branch, we have not found any benefits associated with working on a PBA contract basis. In our experience the primary purpose of PBA contracts is to replace and undercut permanent employment, providing a loophole through which workers are exploited. Although PBA contracts offer a guaranteed income for 4 weeks in between assignments, this is paid at the national minimum wage and, because workers are engaged on a long-term basis this does not happen. Indeed it is our experience that workers can be employed on a PBA contract for many years meanwhile, they are prevented from enjoying the same treatment on pay as their permanent colleagues, even after 12 weeks. As a result, our agency members on PBA contracts who are employed by</p> <p>are paid substantially less than their permanent counterparts doing the same work. This can be as much as £3.26 less per hour, which amounts to £122 a week and £529 a month.</p> <p>In our experience, temporary work agencies are almost exclusively employing new recruits on PBA contracts in order to avoid equal pay regulations. Tellingly, workers are not given an opt-out choice upon recruitment. These contracts are offered on a take-it-or-leave-it basis leaving workers with no choice but to accept them.</p> |
| In your experience, how effective do you think pay between assignments contracts are in supporting workers and work seekers when they are not working? | Not at all effective |
| Do you have evidence that there are wider issues (beyond equal pay) with PBA contracts, for example agency workers not | Workers engaged on PBA contracts have suffered from a range of inferior |

| | |
|---|---|
| being able to access to facilities, rest break, annual leave or job vacancies? | terms and conditions. These include: an inability to arrange time off at their convenience; unsocial shifts and being mandated to work during bank holidays; unable to access and apply for permanent positions; poorer pension terms and conditions; and only entitled to statutory maternity/paternity and sick pay. |
| Do you believe that that the above issues would justify wider state enforcement? | No |
| Do you believe that that the above issues would justify wider state enforcement? - reasons | The problems outlined above are inherent to agency work and enforcement is not the answer. Instead a regulatory overhaul is needed to ensure that day one rights exist across the workforce and to prevent the kind of exploitation that has become normalised in too many workplaces. The PBA contracts should be scrapped/repelled not enhanced in any way. |
| To what extent do you agree that enforcement of the Agency Worker Regulations 2010 should come within the remit of the Employment Agency Standards Inspectorate? | Disagree strongly |
| To what extent do you agree that enforcement of the Agency Worker Regulations 2010 should come within the remit of the Employment Agency Standards Inspectorate? - Please provide reasons for your answer below | Need to be removed no changed as unfair. Fundamentally we do not agree with the premise of this question. The challenge is not one of enforcement, or lack thereof, but of poor regulations and loopholes that enable exploitation. Rather than focusing on enf |
| Any further comments? - Please provide any further comments in the box below. | |

