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## HR Essentials

### Agency Workers - the key questions

Changes are imminent which have the potential to add significant cost to businesses which supply or use agency workers to any significant extent.

Is your business ready for them? If you use or supply agency workers you need to plan ahead.

The Agency Workers Regulations 2010 (AWR) come into effect on 1 October 2011, giving agency workers:

- the right to access the employer's on-site facilities and internal vacancy lists from day one; and
- after 12 weeks, equal treatment on basic working and employment conditions with the hirer's directly-employed staff, including pay.

You are probably looking forward to a well earned-summer break, confident you will have time after that to get your head round the technicalities of the AWR and their implications. If employment contracts need to be amended to mitigate the effects of the AWR, you might need to start the process sooner.

Should you be concerned? If you think your business might be affected as a user of agency workers, ask yourself these questions:

1. Are workers supplied to you by an external agency, but not on your own payroll?
2. Do they work under the direction and control of your staff?
3. Could their assignments last 12 weeks or more in aggregate, ignoring for this purpose any breaks of six weeks or less?

If your business supplies workers to clients, the questions are similar:

1. Do you pay the workers?
2. Do they work under the direction and control of your client's staff?
3. Could their assignments last 12 weeks or more in aggregate, ignoring for this purpose any breaks of six weeks or less?

If you have answered any of these questions with a 'Yes', however tentative, you might have issues. It's time to dig a little deeper - to really understand the AWR, their potential implications and your options. To get you started as painlessly as possible we have prepared some FAQ's. [Click here](#) for a free copy.

To discuss the implications of the AWR for your business and possible solutions you can also speak to your usual contact at Nicholas Moore specialist employment lawyers, call us on 01823 421 556 or email [advice@nicholas-moore.co.uk](mailto:advice@nicholas-moore.co.uk)

### The Essentials:

The Agency Workers Regulations come into effect on 1 October 2011

The AWR potentially add cost to using agency workers

Planning to mitigate the AWR's impact needs to begin soon

Our FAQs tell you more about the AWR, their implications and how to mitigate their impact

Please feel free to pass on this update to any contacts who may find it useful.

Contact details for all of our lawyers can be found on our website. Alternatively, please email [advice@nicholas-moore.co.uk](mailto:advice@nicholas-moore.co.uk)

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