

The right to statutory rights

Most employees have rights given by law. These are in addition to any rights you have under your employment contract. They include: the right to a written statement of the terms of employment; the right to an itemised pay statement; the right to maternity leave; the right to pay in compensation for being made redundant; the right not to be unfairly dismissed.

Statutory rights only come into effect after you have worked for an employer for a continuous period of time. Some employers will hire you on a series of short-term contracts in order to try and prevent you from gaining these rights, however certain circumstances may allow for contracts to be added together to prove continuity of employment.

DO YOU

The right to a written statement of terms

While a contract of employment *can* be verbally agreed, the employer *must* provide a written statement within two months of an employee starting work. This statement of terms and conditions can include: employer/employee names; commencement date; wage rates and payment frequency; overtime rates; bonus pay; holiday, sick leave, pension and redundancy entitlement; dismissal/leaving notice period; job title, location and description; disciplinary, dismissal and grievance procedures.

YOUR

The right to refuse a change of contract

In theory, your employer *cannot* change a term in your contract without you agreeing to the change: the type of work that you do; your place of work; cutting your pay; or the number of hours you work. The only exceptions being: if the firm has recently changed hands; if the change was negotiated by your trade union; or if your contract contains a 'variation' term, 'flexibility' or 'mobility' clause.

The right to the Minimum or Living Wage

From 1 April 2018 the National Minimum Wage is £5.90p/h for those aged 18-20, and £7.38p/h for ages 21-24. Employees aged 25 or older are entitled to the National Living Wage at £7.83p/h. This includes casual workers, people on zero hours contracts and agency workers. To account for the high cost of living in the capital, the London Living Wage is set at £10.20p/h. This rate is not a legal requirement, but an opt-in agreement for employers with benefits identified by the Mayor of London as: reduced absenteeism and sick leave, staff recruitment and retention, boost to staff morale and productivity, and 'improved brand awareness'.

EMPLOYMENT

The right to an itemised payslip

Legally, employers *must* supply payslips to all employees. This statement allows you to check whether you've been paid for the number of hours you've actually worked, if you've been paid at the correct rate, if you've been paid for overtime, commission or bonus, whether you've been paid any sick pay, holiday pay or maternity pay that you were expecting, or any unexpected deductions. If your employer has made a genuine mistake, ask them to pay you the money you're owed straight away. You shouldn't have to wait until your next pay day.

The right to rest

If you're aged 18 or over and work for more than 6 hours a day, you're entitled to: an uninterrupted rest break of at least 20 minutes, taken during the day rather than at the beginning or end (eg tea or lunch break); 11 hours rest in a row between each working day; 1 rest day in each working week.

Most employers *can't* force their employees to work more than 48 hours a week (on average), unless the worker chooses to and this has been agreed in writing. Full-time employees are entitled to a minimum of 28 days paid holiday per year, more if stated in their contract. Part-time employees are entitled to a pro rata amount. The minimum notice period given to an employer for holiday leave should be double the period of time requested. For example, if you want to take two weeks holiday, you must make the request four weeks prior.

If your place of work is closed on bank holidays, your employer can make you take them as part of your annual leave entitlement. Some employers might give you bank holidays off and pay you for them on top of your annual leave entitlement.

KNOW

The right to transparent monitoring

Employers have the right to monitor your activities in many situations at work. Monitoring in the workplace includes: recording on CCTV cameras; opening mail or e-mail; use of automated software to check e-mail; checking phone logs or recording of phone calls; checking logs of websites visited; videoing outside the workplace; getting information from credit reference agencies. Except in extremely limited circumstances, employers must take reasonable steps to let staff know that monitoring is happening, what is being monitored and why it is necessary. The use of hidden cameras or audio devices is very rarely legal.

The right to parental leave and pay

Most women have the right to take Maternity Leave for a minimum of two weeks, and a maximum of 52 weeks. Up to 50 weeks' leave and up to 37 weeks' pay can be shared with a partner as Shared Parental Leave. Men are entitled to 1-2 weeks Paid Paternity Leave if they are an expectant or adopting father, or a new mother's partner.

Statutory maternity pay, paid by the employer, lasts up to 39 weeks, made up of: 6 weeks getting 90% of your average weekly pay (before tax) 33 weeks getting either £145.18 a week or 90% of your average weekly pay (before tax) – whichever is less.

Maternity Allowance is paid by the government rather than your employer for those self-employed for 26 weeks in the 66 weeks before your due date. You'll need to have earned at least £30 a week for at least 13 of those weeks.



RIGHTS

Schedule

- 19.00—Arrival
19.30—Introduction (Margo)
19.45—*Concerning Crisis: The Elephants in the Studio* (Chris)
20.00—Discussion: Who's the boss?
20.15—*A Potted History of Some Unions* (Gareth)
20.30—Discussion: What can we learn from the past to inform a response to our current labour conditions?
20.45—*Solutions, or, things we could do collectively or individually* (Margo)
21.00—Group discussion
21.30—Close

USEFUL STUFF

Some relevant unions

United Voices of the World (UVW)
Independent Workers Union of Great Britain (IWGB)
Artists Union England (AUE)
Scottish Artists Union (SAU)
Broadcasting, Entertainment, Cinematograph and Theatre Union (BECTU)
Freelancer's Union (US only)
London Renter's Union
Equity, the Actor's Union
Union of Shop, Distributive and Allied Workers (USDAW)
University and Colleges Union (UCU)
National Union of Students (NUS)
Unite the Union
Trades Union Congress (TUC)

Campaigns / active groups

Demand a 4 Day Week
4dayweek.co.uk
Women's Strike Assembly
womenstrike.org.uk
Workers Inquiry: Architecture
archworkersinquiry.wordpress.com
Notes from Below
notesfrombelow.org

Resources

Citizens Advice Bureau
citizensadvice.org.uk
Co-operatives UK
uk.coop
Advisory, Conciliation & Arbitration Service
acas.org.uk
Altgen
altgen.coop
Precarity Pilot
precaritypilot.net
Autonomy Institute
autonomyinstitute.org
Public Concern at Work
pcaw.org.uk
What Do They Know
whatdotheyknow.com
WorkSmart App by TUC
getworksmart.co.uk
Price it right (AOI)
theaoi.com/resources/pricing
AUE Rates of Pay
artistsunionengland.org.uk/rates-of-pay

Art

Young Artworkers
ukk.dk/en
Artists Placement Group
goo.gl/YVesVJ
Words of Labour
bakonline.org/program-item/werk-woorden-words-of-labour
Emotional Labor Union
bannerrepeater.org/emotional-labor-union-megan-snowe
Art Workers Coalition
primaryinformation.org/art-workers-coalition
Dark Matter Archives
darkmatterarchives.net
W.A.G.E. (Working Artists and the Greater Economy)
wageforwork.com
Arts Emergency
arts-emergency.org
The Artist's Contract
by Maria Eichhorn (Pub; Walther Koenig, ISBN 9783865604217)

Books and Articles

This is not a basis for collaboration: on 'separate but equal' formations in Australian design-tech unionising by Matthew Kiem
decolonisingdesign.com/actions-and-interventions/2018/this-is-not-a-basis-for-collaboration-on-separate-but-equal-formations-in-australian-design-tech-unionising
The Politics of the Joy of Printing by Danielle Aubert
infinitemiledetroit.com/THE-POLITICS-OF-THE-JOY-OF-PRINTING-IN-DETROIT.html
The Future of Trade Unions by Steven Parfitt
opendemocracy.net/transformation/steven-parfitt/future-of-trade-unions
Why I'm suing over my dream internship by Amalia Illgner
theguardian.com/news/2018/mar/27/why-im-suing-over-my-dream-internship?CMP=tw_tg
Adapt or Die: A new breed of trade union can save the fossils of old

by John Harris
theguardian.com/commentisfree/2018/mar/19/new-breed-trade-union-rmt-unite-unison?CMP=Share_iOSApp_Other

Notes from Below: No Politics without Inquiry [radio show]
novaramedia.com/2018/03/18/notes-from-below-no-politics-without-inquiry
Little Red Blue Book Volume Two, published by Mayday Rooms
Wages for Students / Sueldo para estudiantin / Des salaires pour les étudiants, ed. Jakob Jakobsen, Maria Berrios and Malav Kanuga
activedistributionshop.org/shop/books/4343-wages-for-students.html
Four Myths About the "Freelancer Class"
jacobinmag.com/2015/05/freelance-independent-contractor-union-precariat
Can I Make Everybody Happy?
By Noa Segal and Dag Brandsaeter
First Things First
ethicsofdesign.wordpress.com/resources/first-things-first-manifesto
Organising at work: some basic principles
libcom.org/organise/workplace/articles/basic-principles.php
Training for Exploitation?
by Precarious Workers Brigade (Journal of Aesthetics and Protest Press, 2017) *Limited number of copies available from Evening Class*

Reports / Surveys

Surviving Work in the UK (2016)
survivingwork.org/wp-content/uploads/2016/10/Surviving-Work-in-the-UK-1.pdf
Graphic Designers Surveyed (2015)
graphicdesignand.com/shop/graphic-designers-surveyed
Panic! Social Class, Taste and Inequalities in the Creative Industries (2018):
createlondon.org/wp-content/uploads/2018/04/Panic-Social-Class-Taste-and-Inequalities-in-the-Creative-Industries1.pdf
Illustrator's Survey (2017)
bentheillustrator.com/illustrators-survey
Stuck at the start: Young workers' experiences of pay and progression
tuc.org.uk/sites/default/files/Stuck%20at%20the%20start-%20young%20workers%20progress%20and%20pay.pdf
Artists' Workspace Study (2014)
london.gov.uk/sites/default/files/artists_workspace_study_september2014_reva_web_o.pdf
A Workers' Inquiry
marxists.org/archive/marx/works/1880/04/20.htm
Big Creative Salary Survey (2016/18)
represent.uk.com/files/SS_RESULTS_WEB_2018.pdf
Give millennials £10,000 each and make pensioners pay National Insurance, influential commission says
by Sam Lister
independent.co.uk/news/uk/home-news/pensioner-tax-millennials-25-10000-generation-gap-inheritance-a8340601.html

Glossary

Scab

A worker who crosses a strikers' picket line, going to work in place of the strikers.

Union Bug

A small graphic mark used to signify a printer's union affiliation.

Wildcat Strike

A strike that is started by a group of workers without the backing of a union.

Class Composition

Class composition refers to the present condition of the working class in all its ambivalence and potential. Class composition is usually broken down into technical composition: the labour process as it currently functions and the political composition: the forms of organisation and resistance that operate in and against the labour process.

Worker's Inquiry

Surveying, interviewing or recording the workforce by/from the perspective of the workforce. To discover the historically unrecorded or difficult-to-excavate figures of class struggle.

Freelance

A person who pursues a profession without a long-term commitment to any one employer.

Precarious

Dependent on chance circumstances, unknown conditions, or uncertain developments, characterised by a lack of security or stability.

Whistleblowing

The disclosure by a person, usually an employee in a government agency or private enterprise, to the public or to those in authority, of mismanagement, corruption, illegality, or other wrongdoing.

Work-to-Rule

The practice of working to the strictest interpretation of the rules as a form of industrial action, e.g. with a view to slowing productivity, using no overtime, taking exact duration of lunch break, etc.

Contact us

@evening_class
info@evening-class.org