
Attention: employment; work; social affairs

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A temp's lot is not always a happy one

A new survey of 2,500 agency workers reveals that while many are content, many others experience poor treatment, that agency workers do not know their rights and that they support a legal right to be given the same pay and conditions as the permanent staff with whom they work.

The survey commissioned by the TUC from YouGov interviewed almost 2,500 people who are either agency workers or who have done agency work in the past year. It is being published in the run up to the closing date for responses to a Government consultation on whether vulnerable agency workers need more protection as part of the TUC's campaign for a fair deal for agency staff.

Even though the sample significantly under-represents workers on the minimum wage - such as migrant workers - as they are difficult to poll, two in three (64%) agree that the law should make it illegal for an employer to pay agency workers less than permanent staff for doing the same job.

Only one in four (28%) in the sample feel confident that they know their rights. More than half (56%) don't have the same holiday rights as permanent staff, even though one in four agency workers have had assignments in excess of six months. Nearly two thirds (61%) say that they don't have the same sick pay rights as permanent staff.

Many have complaints about the employment agencies they use. One in four (28%) say that they have had to change their agency. One in two say that neither the agency nor the employer have provided them with training that helps their career. Nearly half (46%) say that working through an agency makes it harder to complain if anything goes wrong at work.

The problems are even more acute for those on the minimum wage. Fewer than two in five (37%) of minimum wage earners say that their agency has always treated them fairly. The same proportion (37%) say they have changed agency and more than three in five (61%) complain that working for an agency makes it harder to complain when things go wrong. And three in five (60%) say that they have had jobs where the employer was trying to get work done on the cheap.

Among complaints reported by respondents to the poll were:

“£5 per hr on an assignment they were charging the employer £17 per hr for.”

“2 days notice that the assignment was ending, leaving me 2 days only in order to find other work. Because of this I had a two week period of unemployment.”

“after dumping me in a low paid job (they took 41% of what my employer were paying them), i was affectively abandoned. They didn't contact me about the role, didn't help me find a permanent job as they said they would, they rang my employer to see if I was working well but not me. After ending my position with an employer I liked due to the agency I was short paid in my final pay! I had no contract, was not told I was entitled to holiday and they didn't even inform the tax office I was working for them! appalling! I will never ever work for an agency again.”

“After one year in this assignment I was laid off without pay for one month to prevent me acquiring employment rights.”

“An employer terminated my contract with 1 week's notice, when I was supposed to have been given 4 weeks notice. The Agency accused ME of breach of contract!”

“being given a ridiculous job one summer in a frozen herb factory, min wage, 12 hour shifts with an hour in total of breaks, in sub-zero conditions - had to leave after 2 days cos i was getting ill. the other people were all Polish (and Russian)- the shift manager barely spoke English so couldn't explain any safety things to me etc. i was quite shocked that people work in such conditions in this country. Most of the polish guys were doing 6 12-hour shifts a week, alternating day and night - they looked like zombies and it can't have been safe for operating heavy machinery. Agency didn't seem to care.”

Unions do not oppose agency work. The poll confirms that temporary agency work suits many workers, with one in four of the sample (27%) saying that they prefer agency work even though they could get a permanent job and one in ten (9%) saying they do temporary work because they can't or don't want to work permanently.

And many employers use agency work appropriately. One in five of the sample (19%) say they are covering for absent staff, a further one in five (18%) say they were brought in to cope with a busy period with almost as many (17%) doing a special project.

But the poll also reveals a “dark under-belly” of agency work, where bad employers use the fewer legal rights and built-in insecurity of agency work to treat staff badly. One in four staff (26%) say the employer always uses agency staff for

the job they were doing and one in seven (14%) say that they were replacing permanent staff.

And as the poll sample does not include the most vulnerable agency staff, such as migrant workers and others without internet access, the problems are likely to go much deeper. The poll sample contains just 6% on or below the minimum wage, while the official Labour Force Survey (LFS) reports 25% of agency workers on the minimum wage. The LFS finds that there are just over a quarter of a million agency workers, while trade body the Recruitment and Employment Confederation claims that that there are over one million agency workers. If this figure is accurate, it suggests that many agency workers – most likely to be vulnerable workers – do not show up in official surveys.

TUC General Secretary **Brendan Barber** said, “Up to now arguments about agency working have been strong on anecdote. This poll now provides a wealth of hard data.

“First it tells us that no-one should generalise about agency working. Some people enjoy the life and are happy with their agency. Many employers use it responsibly to cover for absence or cope with extra work.

“But even though our poll will not have captured the experience of many of the most vulnerable workers, it still reveals abuse and bad treatment for a significant proportion of agency workers.

“The government recognised that exploitation exists when it introduced licensing for Gangmasters, but abuse goes wider than the limited sectors covered by the new law. This is why the TUC will be calling for the government to introduce a fair deal for agency workers in our submission to their review.

“It should start with licensing for all employment agencies – not just those covered by Gangmaster rules – and guarantee equal rights for agency workers to the permanent staff they work alongside. This won’t stop responsible employers using staff from responsible agencies, but it will end the temptation for bad employers to use agency staff to get round their legal obligations to permanent employees. Responsible agencies should come out of their state of denial that bad practice happens, and join with us in trying to raise standards.

“The government has done much for people at work, but agency working is the big loophole in their ambition to introduce decent minimum standards for all. Ministers now have the arguments they need to close the loophole that bad employers are using to get round reforms in which this government rightly takes pride.”

NOTES TO EDITORS:

- 1) The TUC will publish its response to the Government’s consultation at a later date. It will include more details from the poll.

- 2) All figures, unless otherwise stated, are from YouGov Plc. Total sample size was 2,495 adults. Fieldwork was undertaken between 4th - 10th May 2007. The survey was carried out online.
- 3) The sample was constructed from YouGov panel members who are currently working through an agency or have done so in the last year. This is not a representative sample of agency workers as it under-represents those on lower pay and in more vulnerable employment as they are less likely to be online, but as there is no accurately known profile of all agency workers it is not possible to weight the data to provide a representative sample.
- 4) The full questions and answers referred to in the text are available at <insert pdf link here>

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Contacts:

Media enquiries: Elly Brenchley T: 020 7467 1337; M: 07881 622416;

E: ebrenchley@tuc.org.uk

Liz Chinchon T: 020 7467 1248; M: 07778 158175; E: media@tuc.org.uk