

Working in the UK as a EEA National – a guide

Could working for a business in the UK be of interest to you? Could **they** benefit from your skills, and **you** benefit from the experience and the knowledge of the UK working culture? Could it, for example, sharpen your language skills?

This guide provides details of the rights of people from the European Economic Area (EEA) to work in the UK. It also outlines some of the mutual advantages.



The EEA

Nationals of the EEA (which consists of the EU states plus Norway, Iceland and Liechtenstein) have certain rights to work in the UK. Nationals of Switzerland, although not a member of the EEA, enjoy broadly equivalent rights and privileges as EEA nationals. EEA member nations are:

- Austria
 - Belgium
 - Bulgaria - see note 2
 - Cyprus
 - Czech Republic - see note 1
 - Denmark
 - Estonia - see note 1
 - Finland
 - France
 - Germany
 - Greece
 - Hungary - see note 1
 - Iceland
 - Ireland
 - Italy
 - Latvia - see note 1
 - Liechtenstein
 - Lithuania
 - Luxembourg - see note 1
 - Malta
 - Netherlands
 - Norway
 - Poland - see note 1
 - Portugal
 - Romania - see note 2
 - Slovakia - see note 1
 - Slovenia - see note 1
 - Spain
 - Sweden
- Non members
- Switzerland - see note 3

Your Rights

Workers in the UK benefit from a range of basic workplace rights and protections. These include the following:

- You must be paid at least the National Minimum Wage – see box. This is normally updated annually. Different minimum wage rates are set for those under 22, and for agricultural workers
- You are entitled to a minimum of 24 days paid holiday a year (increasing to 28 days from April 2009). This period is reduced pro-rata if you work part-time. For agricultural workers in England and Wales working five days a week, the minimum is 31 days, including public holidays
- You do not have to work more than 48 hours a week on average unless you have agreed in writing that you are willing to do so
- You are protected against any unauthorised deductions being made from your wages
- You are protected from discrimination on grounds of race, sex, disability, marital status, age, sexual orientation, religion, or membership or non-membership of a trade union
- You must be provided with a safe and healthy working environment
- If you have 'employee' status you may be entitled to additional rights such as maternity leave and protection against unfair dismissal although some rights only apply following a qualifying period

Note 1: The Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia joined the EU in May 2004 and are often called 'A8' nations.

Note 2: Bulgaria and Romania joined the EU in January 2007 and are often called the 'A2 nations'. People from these countries have many of the same rights as other EEA/EU nationals but with some restrictions.

Note 3: Nationals from Switzerland also have the same free movement and employment rights as existing EEA nationals.

Rights to work

As a National from one of the EU/EEA countries you do not need to apply for a work permit. However there is some variation in the way nationals from some countries are treated:

- If you are a National of the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia or Slovenia – the A8 countries – you will need to register under the Worker Registration Scheme when you take work in the United Kingdom.

This is not an application as it cannot be refused – it is for information purposes only. The registration form must be submitted to the Home Office within one month of you starting work as an employed person in the UK. A fee of £90 applies and the Home Office will issue you with a registration card – this looks a little like a passport – and a registration certificate.

- If you are a National of Bulgaria or Romania – the A2 countries – you will need to get Home Office permission before starting work and you must not work until you have been granted permission.

Your prospective employer needs to complete and submit a WP1 form, once they have received permission (by letter) you need to complete and submit a BR3 form – you should then receive a purple work permit. Forms are available on the bia website at

www.bia.homeoffice.gov.uk

The national minimum wage

There are three levels of minimum wage, and the rates from 1st October 2008 are:

- £5.73 per hour for workers aged 22 years and older
- A development rate of £4.77 per hour for workers aged 18-21 inclusive
- £3.53 per hour for all workers under the age of 18, who are no longer of compulsory school age.

National Insurance

All employees need a valid National Insurance number. In order to obtain an NI number you will need to attend a simple interview to check identity and, where applicable, the right to work.

Interviews, normally on a one-to-one basis (unless you need an interpreter), can be arranged by calling 0845 6000 643. Applicants will be told what information should be brought to the meeting - this will include evidence of a job offer or employment.

Examples of the types of evidence and information that may be needed (please note that photocopies are not acceptable) are as follows:

General documents:

- Passport
- National Identity card
- Birth certificate
- Marriage or civil partnership certificate.
- Full driving licence
- Home Office documents
- 2 or more passports if you are of dual, or multi-nationality
- Student-loan documents
- Student identity card
- Letter from your college, including course details
- Mortgage or rental agreement

Employment documents:

- Payslips
- A work permit
- A letter from your employer
- Your contract of employment
- Details of any employment agencies you are registered with.
- Evidence that you are actively looking for work

If you are a student from one of the A2 countries you may engage in employment for up to 20 hours a week during term time and full-time work during vacation periods but you must first obtain a registration certificate (Yellow for Students) confirming that you are a student.

At www.bia.homeoffice.gov.uk you will find more information on the employment of A8 and A2 nationals. [click on 'For European Citizens']

Prospective employers are legally required to check certain documents as part of the employment process. Please do not be offended.

You will need to provide documentation that proves your entitlement to work in the UK, for example a passport. The employer is required to check that any documents are genuine and also to copy the documents you have provided.

If you are from an A8 country the Employer will also check the Worker Registration Scheme documents, if you are from an A2 country the employer will also check the Home Office Authorisation documentation.

You will also (at some point) need a National Insurance Number. Without a National Insurance number you could end up paying too much tax! You do not need one before you start work but it will probably be in your interest to apply for one as soon as possible. See National Insurance box for more details.

Making it work

There are many benefits that EEA Nationals can accrue from working in the UK. Make sure you go that extra mile to gain full advantage of your decision to spend some time working here.

A few suggestions:

- Make the effort to be part of the team, try to get involved socially
- Try and understand something of the UK culture – in terms of both social and business cultures
- Use the opportunity to improve or refine your English language skills – both oral and written!
- Be enthusiastic and look for ways you can assist the business – but understand the need to make suggestions in way culturally acceptable in the UK!
- Capture what you learn – update your CV regularly

More information

This simple guide is provided in good faith but legislation can change and users are advised to check the current position using the web sites and telephone numbers provided.



Coventry TechnoCentre
Coventry University Technology Park
Puma Way
Coventry
CV1 2TT

Europe Direct-Coventry and Warwickshire
Phone: +44 (0)24 7623 6377
Fax: +44 (0)24 7623 6024
E-mail: europedirect@cad.coventry.ac.uk

The advice in this guide is provided in good faith, and is believed to be accurate at the time of initial publication.

Individuals are advised to carry out their own research, and seek legal advice where appropriate.

Information provided by, or on behalf of, Europe Direct may not be considered as legally binding.

