

Employee rights and pay rises

Certain circumstances might affect if an employee should get a pay rise. For example, if there has been:

- a TUPE transfer
- a National Minimum Wage increase
- an equal pay issue

Pay rises and TUPE

TUPE regulations protect employees' rights when:

- an organisation, or part of it, transfers from one employer to another
- a service transfers to a new provider, for example when another company takes over the contract for office cleaning

On the date of a TUPE transfer, the employee will automatically transfer to the new employer. Their employment contract, including their terms and conditions of employment, transfer with them. This means an employee's contract continues and they do not get a new one.

If the employee has a contractual entitlement to a pay rise, this would carry over to the new employer. An employer can only change this contract if certain conditions apply.

[Find out more about changing a contract after TUPE](#)

Pay rises and the minimum wage

If an employee is paid the minimum wage, they're entitled to a pay rise if:

- the government increases the rates (usually in April each year)
- they turn 18 or 21
- they're an apprentice who turns 19, and they've already finished the first year of their current apprenticeship
- they're an apprentice who is already 19 and they finish the first year of their current apprenticeship

The higher rate starts to apply from the next pay reference period after the increase. This means someone's pay might not go up straight away.

[Find out more about National Minimum wage increases](#)

Equal pay

When an employer gives a pay rise they must make sure they follow equal pay law.

By law (Equality Act 2010) men and women must get equal pay for doing 'equal work'. This is work that equal pay law classes as the same, similar, equivalent or of equal value.

The right to equal pay applies to:

- employees
- workers
- apprentices
- agency workers
- full-time, part-time or temporary contracts
- self-employed people who are hired to personally do the work

[Find out more about equal pay law](#)