

Employee

People with 'employee' employment status have:

- more employment rights than workers or self-employed people
- more obligations towards their employer

What makes someone an employee

Someone is likely to have the legal status of employee if most of these things apply:

- they're required to work regularly unless they're on leave
- they can usually expect work to be consistently available
- they cannot unreasonably refuse to do the work
- they get statutory paid holiday – they might also have additional contractual holiday entitlement
- they're subject to the employer's discipline and grievance procedures
- they need to give notice to their employer if they want to take maternity, paternity or adoption leave
- they cannot get someone else to do their job
- their employer decides how, when and where they do their work
- their employer provides the materials, tools and equipment for their work

If most of these do not apply, someone is more likely to be a [worker](#) or [self-employed](#).

Employment rights

Employees' rights include:

- a [written statement of employment particulars](#) outlining their job rights and responsibilities
- [minimum wage](#)
- [paid holiday](#)
- [payslips](#)
- protection for [whistleblowing](#)
- protection against [discrimination](#)
- protection from [less favourable treatment for working part time](#)
- making [statutory flexible working requests](#)

As long as they meet any eligibility criteria, they're also entitled to:

- [statutory sick pay \(SSP\)](#)
- [ordinary parental leave](#)
- [shared parental leave and pay](#)
- [maternity leave and pay](#)
- [paternity leave and pay](#)

- [adoption leave and pay](#)
- [parental bereavement leave and pay](#)
- [neonatal care leave and pay](#)
- [carer's leave](#)
- [time off for dependants](#)
- time off for public duties
- [redundancy pay](#) after 2 years' continuous service, if their role becomes redundant
- claim [unfair dismissal or automatically unfair dismissal](#)
- get the minimum [notice period](#) if they're dismissed or made redundant
- [protection against dismissal or detriment for taking action over a health and safety issue](#)

Get more advice and support

If you have any questions about employment status, [contact the Acas helpline](#).

You can also find out more about:

- [employee status on GOV.UK](#)
- [employment status and employment rights on GOV.UK](#)

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