

Worker

People with 'worker' employment status have some employment rights, but not as many as employees.

What makes someone a worker

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

- their work for the organisation is more casual, for example work is less structured or they do not have a regular working pattern
- they're usually required to personally do the work
- they're not offered regular or guaranteed hours by the employer
- they have very little obligation to make themselves available for work, but should do work they've agreed to
- they're not carrying out work for a client or customer of their own

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

Workers are sometimes referred to as 'limb (b)' workers. This term comes from the Employment Rights Act 1996.

Employment rights

Workers' 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](#)
- [protection against detriment for taking action over a health and safety issue](#)

Workers are not usually entitled to:

- a minimum [notice period](#) if their employment is ending, for example if their employer is dismissing them
- protection against [unfair dismissal](#)
- make [statutory flexible working requests](#)
- [time off for dependants](#)
- statutory [redundancy pay](#)

Statutory pay and leave

Depending on their National Insurance contributions, workers might also be entitled to:

- [statutory sick pay \(SSP\)](#)
- [shared parental pay](#)
- [parental bereavement pay](#)
- [maternity pay](#)
- [paternity pay](#)
- [adoption pay](#)
- [neonatal care pay](#)

Workers are not entitled to:

- shared parental leave
- parental bereavement leave
- maternity, paternity and adoption leave
- neonatal care leave
- carer's leave

This is because they do not have to make themselves available for work. They can choose to take time off when they want to.

For example, if an agency worker meets the definition of 'worker' employment status, they would not qualify for statutory maternity leave. However, they can tell their employer they're not available to work if they want to take time off while pregnant or after giving birth.

Get more advice and support

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

You can also find out more about:

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

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