

## Rights during contractual relationship

Statutory right	Employee	Office-holder (not having a contract)
Written particulars of employment	✓	✗
Statutory sick pay (SSP)	✓	✗
Protection against unlawful deduction from wages	✓	✗
Itemised pay statement	✓	✗
Guarantee payments	✓	✗
Certain payments on insolvency	✓	✗
Remuneration during suspension on medical grounds	✓	✗
National minimum wage	✓	✗
Paid annual leave	✓	✗
Rest breaks	✓	✗
Maximum working week	✓	✗
Protection on the transfer of undertakings	✓	✗
Right to be accompanied at a disciplinary or grievance hearing	✓	✗
Protection for making a protected disclosure (whistleblowing)	✓	✗
Vicarious liability of the employer for the employees'/officeholders' tortious acts	✓	✓
Not to be refused employment because of membership or non-membership of a trade union	✓	✗
Protection under the Data Protection Act 1998	✓	✓

Protection under the statutory dispute resolution procedures	✓	✗
Right of shop and betting workers to refuse to work on a Sunday	✓	✗

### **Families and pregnancy**

Statutory right	Employee	Office-holder (not having a contract)
Statutory maternity pay (SMP)	✓	✗
Statutory paternity pay (SPP)	✓	✗
Statutory adoption pay (SAP)	✓	✗
Parental leave	✓	✗
Ordinary maternity leave (OML)	✓	✗
Additional maternity leave (AML)	✓	✗
Statutory paternity leave	✓	✗
Statutory adoption leave	✓	✗
Request flexible working	✓	✗
Not to be suspended on maternity grounds	✓	✗

Statutory right	Employee	Office-holder (not having a contract)
Right not to be treated less favourably because of age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation	✓	Depends on type of office-holder
Right not to be treated unfavourably because of pregnancy or maternity	✓	“

Right not to be indirectly discriminated against in relation to age, disability, gender reassignment, marriage or civil partnership, race, religion or belief, sex or sexual orientation	✓	“
Right not to be treated unfavourably because of something arising in consequence of a disabled person's disability	✓	“
Right not to be discriminated against by a failure to comply with a duty to make reasonable adjustments	✓	“
Right not to be harassed by unwanted conduct related to age, disability, gender reassignment, race, religion or belief, sex or sexual orientation	✓	“
Right not to be sexually harassed	✓	“
Right not to be treated less favourably for rejecting or submitting to sexual harassment or harassment related to gender reassignment or sex	✓	“
Right not to be victimised because of a protected act	✓	“
Right as a part-time worker not to be treated less favourably than a comparable full-time worker	✓	“
Right as a fixed term employee not to be treated less favourably than a comparable permanent employee	✓	✗
Right to a sex equality clause (equal pay for equal work)	✓	Depends on type of office holder
Right to a maternity equality clause	✓	“

### Detriment

Statutory right	Employee	Office-holder (not having a contract)
Not to suffer detriment for exercising rights as a part-time worker	✓	✗

Not to suffer detriment for exercising rights as a fixed term employee	✓	✗
Not to suffer detriment for exercising rights in respect of the Working Time Regulations 1998	✓	✗
Not to suffer detriment for exercising rights in respect of a protected disclosure	✓	✗
Not to suffer detriment for exercising the right to be accompanied at a disciplinary or grievance hearing	✓	✗
Not to suffer detriment for exercising rights in respect of health and safety cases	✓	✗
Not to suffer detriment for exercising rights in respect of Sunday working	✓	✗
Not to suffer detriment for exercising rights as a pension scheme trustee	✓	✗
Not to suffer detriment for exercising rights in respect of acting as an employee representative	✓	✗
Not to suffer detriment for exercising rights in respect of taking time off for study or training	✓	✗
Not to suffer detriment for exercising rights in respect of trade union membership	✓	✗
Not to suffer detriment for exercising rights in respect of family and domestic leave	✓	✗
Not to suffer detriment for requesting the right to flexible work	✓	✗
Not to suffer detriment as a result of jury service	✓	✗
Not to suffer detriment for performing functions of a representative on a European works council	✓	✗
Not to suffer detriment for exercising rights in respect of the national minimum wage	✓	✗

Not to suffer detriment for performing functions of a representative under a negotiated information and consultation agreement or the standard information and consultation provisions	✓	✗
Not to suffer detriment for exercising prescribed rights as an agency worker	✓	✗

### Time off

Statutory right	Employee	Office-holder (not having a contract)
Time off for antenatal care (unpaid)	✓	✗
Time off for dependants (unpaid)	✓	✗
Time off for trade union duties (paid)	✓	✗
Time off for trade union activities (unpaid)	✓	✗
Time off for public duties (unpaid)	✓	✗
Time off to look for work or arrange training in the event of redundancy (paid)	✓	✗
Time off for pension scheme trustees (paid)	✓	✗
Time off for employee representatives (paid)	✓	✗
Time off for young people to undertake study or training (paid)	✓	✗
Time off for members of a national works council (paid)	✓	✗
Time off for members of a European Works Council (paid)	✓	✗

### Termination

Statutory right	Employee	Office-holder (not having a contract)

Statutory minimum notice period	✓	✗
Written statement of reasons for dismissal	✓	✗
Not to be unfairly dismissed	✓	✗
Statutory redundancy payment	✓	✗
Collective redundancy consultation	✓	✗