

An introduction to

Employee Rights and Responsibilities

for Apprentices in the Logistics sector



QCF
version 1



An Introduction to Employee Rights and Responsibilities for Apprentices in the Logistics Sector

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Welcome to the Apprenticeship programme and to a sector that can offer you a wealth of opportunities as you progress in your chosen career.

The Apprenticeship programme has been designed specifically for the Logistics Sector and will enable you to develop a variety of skills that employers' value.

An important part of your programme includes understanding 'Employee Rights and Responsibilities' or ERR. This booklet outlines the areas you need to know and understand, and will generally be covered in your Induction or within the programme itself. Your employer, training provider and/or mentor should be able to answer any questions you may have as you learn about the sector, business the organisation and the legal framework within which they operate.

Your employer, training provider and/or mentor will ensure that you understand the principal qualification, key or functional skills, personal learning and thinking skills and the ERR qualification that you will complete, the learning you will undertake, how to collect evidence of your learning and how you will be assessed as you become an apprentice in England.

Your employer, training provider and/or mentor will ensure that you understand the principal qualification, essential skills, and the ERR qualification that you will complete, the learning you will undertake, how to collect evidence of your learning and how you will be assessed as you become an apprentice in Wales.

We would encourage you to learn more about the logistics sector and the opportunities it offers by visiting the Skills for Logistics website:

www.skillsforlogistics.org

Good luck with your Apprenticeship programme, and may we take this opportunity to wish you a successful and rewarding career within the Logistics sector.

From all at your Sector Skills Council, Skills for Logistics.

How to use this booklet

- Briefly read through this booklet to get a complete picture of what it contains, this will help you to collect the evidence you will need to complete this booklet
- Some of the knowledge you will need will be explained by your employer, training provider or mentor
- Read the information in each section first to help you collect the information you need
- Seek advice from colleagues, your employer, training provider or mentor
- Use the information sources provided to help you find out more
- As you work through the sections tick the Completion Form provided in the back of the booklet and have it countersigned by your employer, training provider or mentor
- Complete the Activity Sheets as you undertake your Apprenticeship programme, this will help you to gain the knowledge and collect the evidence you require
- The booklet is intended to be in a 'loose leaf' format so that you can put it into a ring binder along with other evidence you gather to build up your portfolio for the Apprenticeship programme.
- Learning and knowing about ERR will help you to settle into your Apprenticeship programme more quickly and help you to become an effective member of the teams you will be working with

Know employee rights and responsibilities

Describe your own work role

Every organisation is different, and it is important that you gain an understanding of the organisation that employs you. The nature of the business, what activities your organisation undertakes and your role within the organisation.

You may have been given a staff handbook as part of your induction and you can add it to your portfolio.

In the box, on page 6, describe what you will be doing as part of your work – work with your employer, training provider or mentor so that you understand what will be expected of you in your work role.

The main areas you need to know are:

- What your main duties and responsibilities are – where will you find this information?
- Who is your line manager?
- Where do you, your colleagues and manager fit within the organisational structure? – Where can you find a copy of the organisational structure to add to your portfolio?
- Who are the people you will be working most closely with and what is their role in the organisation?
- Who are your trainers and/or mentors?
- What are the main policies and procedures you'll be working to? – where will you find this information?
- Who are the main clients or customers of the organisation?
- What is your role in providing good customer service?

Describe your work role here.

Statutory rights and responsibilities

The work that you do is governed by a great deal of legislation which is there to protect you and your employer at work.

Some of this is covered by the Employment Relations Act 2004, some by the Health and Safety at Work Act 1974 and various other Health and Safety Regulations, and some by other important pieces of legislation.

You may have been given a staff handbook as part of your induction and this may contain some of your statutory rights and responsibilities, you can add it to your portfolio.

In the box, on page 8, describe the statutory rights and responsibilities that apply to your work role – work with your employer, training provider or mentor so that you understand what will be expected of you in your work role.

Describe the statutory rights and responsibilities that relate to your own job role

Health, Safety and Security

Safe working practices are fundamental to the Logistics Sector you will learn about this throughout your Apprenticeship programme. The main piece of legislation is the Health and Safety at Work Act 1974 but there are many other Regulations that will also apply.

The legislation makes both employers and employees responsible for health and safety in the workplace.

Employers must safeguard, as far as is possible, to safeguard the health, safety, security and welfare of all those that work for them.

All machinery is used and equipment provided must be maintained to make sure that it is safe to use and that employees are trained to use both machinery and equipment properly, this includes tools and Personal Protective Equipment or PPE.

Employees also have a duty to take reasonable care to avoid harming themselves or others and to co-operate with employers to meet all relevant legislation

Employees must not interfere with, or misuse anything provided that protects their health, safety, security or welfare

The main areas you need to know are:

- How does the Health and Safety at Work Act affect my work role?
- What other Regulations apply to my work role?
- What are the organisations policies and procedures relating to health, safety, security and welfare? – are there any specific Codes of Practice that I need to know?
- What Personal Protective Equipment do I need to use? – how do I use it?
- Who is the nominated person responsible for health, safety, security and welfare in your organisation

In the boxes below, describe the health and safety regulations, codes of practice and, organisational policies and procedures that that apply to your work role, you must include the name of the nominated person responsible for health, safety, security and welfare – work with your employer, training provider or mentor so that you understand what will be expected of you in your work role.

Describe the health, safety, security and welfare regulations, codes of practice etc that apply to my work role.

What is the name of the nominated person responsible for health, safety, security and welfare in my organisation?

In the boxes below describe the Personal Protective Equipment you use and how it is used - work with your employer, training provider or mentor so that you understand what will be expected of you in your work role.

What PPE do I have to use?

How do I use PPE in my work role?

Organisational Policies and Procedures

You will be guided in your work by your organisation's organisational policies and procedures.

Some of this is related to the Statutory Rights and Responsibilities that you've looked at but some of this will be specific to your organisation and the work that you will be doing.

You may have been given a staff handbook as part of your induction and this may contain the policies and procedures that you'll be expected to work to, you can add it to your portfolio.

In the box, on page 13, describe the organisational policies and procedures that apply to your work role – work with your employer, training provider or mentor so that you understand what will be expected of you in your work role.

The main areas you need to know are:

- Where can I find out about the organisations policies and procedures?
- Which policies and procedures apply to my work role?
- How do I make sure I'm following the organisations policies and procedures?

Describe the organisational policies and procedures that relate to your work role

Contracts of Employment

Contracts are 'legally binding' on both you as an employee and on your employer. They are there to protect both you and your employer in work.

The legislation that covers contracts of employment is the Employment Relations Act 2004. This legislation covers what must be stated in your contract, and that you must be given the 'written terms and conditions of your employment' or contract within eight weeks of starting that employment.

This is a very important document that you will be asked to sign and your employer will also sign it.

Changes to your contract must be made using procedures that protect you from unfair treatment.

In the box, on page 15, describe the main components of a contract of employment – work with your employer, training provider or mentor so that you understand what will be expected of you in your work role.

The main areas you need to know are:

- Your contract of employment – what it contains and how you must comply with its terms and conditions
- What are the grievance and disciplinary policies and procedures? – where can you find these policies and procedures?
- What are the procedures for reporting absences? – are there different procedures for reporting different types of absence?

Describe the main components of your own contract of employment

Understand the role of your logistics organisation in employment rights and responsibilities

All organisations have to abide by specific pieces of legislation, in addition to the legislation you've already looked at, that may or may not apply to you in certain circumstances. They have a 'duty of care' to ensure that you are safe when you undertake work activities.

The areas that might affect you are:

- The Working Time Regulations 1998 – there are specific provisions that limit the number of hours young workers aged between 16 – 17 years can work
- Sick Pay – some employers pay a minimum level of sick pay but some employers go beyond this and pay more if their employees become unwell
- Maternity and paternity provision – employees who become pregnant or their partners have specific rights
- Equality and Diversity legislation – there are a number of pieces of legislation that cover issues relating to equality and diversity
- Harassment – this too is covered by some pieces of legislation

In the box, on page 18, identify the rights and responsibilities of the organisation – work with your employer, training provider or mentor so that you understand what will be expected of you in your work role.

The main areas you need to know are:

- What are your working hours? – are there any restrictions on your working hours, if so, what are they?
- How does safeguarding affect your work role? – this includes being safe from bullying and harassment
- You may be able to ‘self certificate’ your sickness absence – what is your organisation’s policy and it’s procedure for doing this? What are the implications for not doing this?
- How does the Equality and Diversity legislation affect you in your work role? – if you feel that you have been discriminated against, what is your organisation’s policy and procedure for dealing with this?

Identify the rights and responsibilities of your organisation

Problems when working to employment rights and responsibilities

When you are working there may be problems that occur and it is important to know how best to deal with them.

All organisations will have policies and procedures that should be used if you do have problem at work and these may be found in the staff handbook that you may have been given as part of your induction or they may be kept by the person responsible for 'Human Resources' or 'Personnel' or your supervisor or line manager. You can ask to access to these polices and procedures if you have a problem at work.

You may be able to add these polices and procedures to your portfolio.

If you cannot resolve the problem within the organisation you may have to talk to someone who can give you independent advice and guidance outside the organisation. There is a list of organisations' that can provide you with advice and guidance at the back of this booklet.

In the box, on page 20, identify problems that can occur when working to employment rights and responsibilities in your own organisation and explain the action you should take to resolve them – work with your employer, training provider or mentor so that you understand what will be expected of you in your work role.

The main areas you need to know are:

- What are the policies and procedures for reporting problems? – there are likely to be different policies and procedures for different types of problems
- Who do I report to? – depending on the nature of the problem it is likely that there will be different people to report different problems to
- What steps do I take if I witness discrimination or, bullying or harassment?
- What action can I take if the problem is not resolved?

Identify three problems that can occur

Explain the appropriate action to take to deal with the problems identified above

Understand the use of information in relation to employment

All employers use information in a variety of ways. Storing and using information is regulated by the Data Protection Act 1998.

It is important to know what information must be provided to you, how it may be stored and how it can be used.

The Data Protection Act 1998 applies to all data that is held by an employer on an employee and covers information that is held on both computer and/or in paper based systems.

Information held by your employer must be processed lawfully, must be accurate, relevant, held securely and be subject to appropriate scrutiny.

The Employment Relations Act 2004 states that you must be provided with a pay slip which contains the following information:

- Your name and the name of the organisation employing you
- Your National Insurance number and tax code
- Details of the amount you have been paid and how it is paid to you

You have already looked at contracts of employment and your own contract, you will have been asked to sign your contract and it will be signed by your employer, it is these signatures that formally make the contract 'binding' on both you and your employer. A copy of your contract will be given to you and the other kept by your employer in your personnel file.

There are a number of organisations that can help you by providing information and advice on the Data Protection Act 1998 and other aspects of information that will be held by your employer on you. These are listed at the back of this booklet on pages 35, 36 and 37

The main areas you need to know are:

- What information is held by your employer in your personnel file? – where can I find out about what information is held on my personnel file?
- What procedures do I need to use if my circumstances change? – such as your address, telephone number or next of kin
- Who has access to my personnel file
- If information held by my employer is incorrect how can I correct it?
- How does the Data Protection Act affect my work role?
- What information should be on my pay slip?

In the boxes, on page 23 and 24:

- describe the main components of your pay slip
- explain the importance of information held on your personnel file
- describe sources of advice and information that can different organisations can provide

in addition:

- review your own pay slip for accuracy
- review your contract of employment

work with your employer, training provider or mentor so that you understand this section – once you have reviewed your pay slip for accuracy and contract of employment this can be signed off on page 33

Describe the main components of your pay slip

Explain the importance of information held on your own personnel file

Describe sources of advice and information that different organisations can provide

Know sources of information in relation to employment rights and responsibilities

There are many sources of information you can access to provide you with advice and guidance in your work role.

People will be pleased to help you, but they will want to see that you show an interest in your work, those you will work with, and the organisation.

There are also organisations outside your work that can provide you with specific information, advice and guidance and these are listed on pages 35, 36 and 37

As with all information you need to make sure that it is valid and reliable.

In the box, on page 26 and 27, explain different types of representative bodies and describe the sources of advice and information that are available to you—work with your employer, training provider or mentor so that you understand what will be expected of you in your work role.

The main areas you need to know are:

- What information, advice and guidance do different types of representative bodies provide?
- Who can I contact to find out about:
 - Access to work
 - Additional learning and support
 - Career pathways
 - Training opportunities
 - Health, safety and security
 - Trades Unions
 - Equality and diversity

Explain three different types of representative bodies

Describe the sources of advice and information you have used to find out about the areas listed on page 24

Understand public concerns about the logistics sector

As with all sectors, there will be public concerns relating to the logistics sector. These concerns may be environmental with issues such as noise, the siting of a warehouse and storage facility or vehicle yard, access routes, low carbon or weight restrictions for Large Goods Vehicles (LGV's).

There may be concerns relating to costs or European Directives and Regulations and the impact this has on the public.

In the boxes on pages 29 and 30 describe an issue of public concern that may affect your organisation and the wider industry including environmental issues and the low carbon agenda - work with your employer, training provider or mentor so that you understand this section.

Describe an issue of public concern that may affect your organisation and the wider logistics sector



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Comply with employment rights and responsibilities in the workplace

In this section you must show how you have applied the knowledge you have gained during the ERR part of your Apprenticeship programme.

The evidence you use must be assessed as it will be form part of the ERR qualification, and is an essential part of your Apprenticeship.

In the boxes on pages 32, 33 and 34 complete the sections to show where you have complied with your organisations polices and procedures, as listed below - work with your employer, training provider or mentor so that you understand this section.

Policy	Evidence	Witnessed	Assessor signature	Date
Health, Safety and Security				
The use of Personal Protective Equipment				

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Equality and Diversity, and Harassment				
Data Protection				
Contract of Employment reviewed Pay Slip reviewed for accuracy				

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Working Hours				
Safeguarding				

Useful sources of information

Organisation/Body	Address	What information and advice does this organisation provide?
Advisory, Conciliation and Arbitration Service (ACAS)	Head Office Euston Tower Euston Road London NW1 3JJ www.acas.org.uk	
Connexions	Connexions Services operate locally and you can get details of your local service from the website below: www.connexions-direct.com The Department for Education (DfE) is responsible for the Connexions Service for details of DfE see below	
Department for Business Innovation and Skills (BIS)	Department of Business, Innovation and Skills, 1 Victoria Street London SW1H 0ET www.bis.gov.uk	
Department for Education	Department for Education Castle View House East Lane Runcorn Cheshire WA7 2GJ www.dfe.gov.uk	

<p>Department of Transport</p>	<p>Department of Transport Great Minister House 76 Marsham Street London SW1P 4DR</p> <p>www.dft.gov.uk</p>	
<p>Department of Work and Pensions</p>	<p>Department of Work and Pensions Caxton House Tothill Street London SW1H 9DA</p> <p>www.dwp.gov.uk</p>	
<p>Equality and Human Rights Commission</p>	<p>Arndale House The Arndale Centre Manchester M4 3AQ</p> <p>3 More London Riverside Tooley Street London SE1 2RG</p> <p>3rd Floor 3 Callaghan Square Cardiff CF10 5BT</p> <p>www.equalityhumanrights.com</p>	
<p>Health and Safety Executive</p>	<p>Health and Safety Executive Head Office Redgrave court Merton Road Bootle Merseyside L20 7HS</p> <p>www.hse.gov.uk</p>	

Information Commissioner	Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF www.ico.gov.uk	
National Apprenticeship Service	Cheylesmore House Quinton Road Coventry CV1 2WT www.apprenticeships.org.uk	
Skills for Logistics	12 Warren Yard Warren Farm Office Village Milton Keynes MK12 5NW www.skillsforlogistics.org	
Trades Union Congress	Trades Union Congress Congress House Great Russell Street London WC1B 3LS www.tuc.org.uk	

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