



SSP - Agency Worker Ruling

As of 27th October agency workers will be entitled to claim SSP from the first day of an assignment.

An agency worker is a worker who uses an agency to find them jobs. The contract of employment remains with the agency.

A High Court ruling has been overturned at appeal with principle being that agency workers pay NI contributions on their income so they should receive the same rights to SSP as employed workers. Previously an agency worker with a three month contract or less were not entitled to SSP should they fall sick.

Statutory Sick Pay: The Facts

To be eligible for SSP worker must also be earning £87 a week on average, before tax and National Insurance has been deducted. SSP is only payable on the fourth day of continuous absence and is paid for a maximum 26 weeks.

The payment currently at the rate of £72.55 a week increases annually in April. SSP is a taxable income and subject to National Insurance contributions.

Impact

This judgement increases the potential cost to agencies when an agency worker falls sick, but does bring the agency workers rights in line with directly employed staff.

Would you like more information about how this may affect any agency workers you currently use or like to know more about The HR Dept. services please do not hesitate the office.

**For anymore information please contact the HR Dept on 0870 240 1919
or email us at info@hrdept.co.uk**



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