



**KNOW YOUR  
RIGHTS AT  
TESCO**

*Usdaw*  
*Union of Shop, Distributive  
and Allied Workers*



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**Tesco colleagues frequently contact their Usdaw Reps or Officials, either in store or in Union Offices, with questions regarding various aspects of their employment with the Company. Here are some of the more frequently asked questions. All of the answers have been taken from Company policy. You may find it useful to keep this booklet for future reference.**

**If I join Usdaw will it affect my prospects within the Company?**

**Where can I find Tesco policies and handbooks?**

Tesco and Usdaw have a working relationship going back decades. Tesco supports any member of staff who decides to join Usdaw.

The Partnership Agreement states:

*“At Tesco we are proud to work in partnership with Usdaw. With Usdaw, our joint objective is to be the best we can for our colleagues, so our business can continue to grow (and) our colleagues can continue to benefit from lots of opportunities ...”*

You don't need to be worried that joining Usdaw will go against you. Well over half of Tesco's UK workforce is an Usdaw member, and they cover all grades and job roles, including Managers.

Tesco policies can be found on **[www.ourtesco.com](http://www.ourtesco.com)** under 'Working at Tesco – People Policies'.

**Pay:**

**Tesco –v– The National Minimum  
Wage and the National Living Wage**

	16–17 years	18–20 years	21–24 years	25+ years
Tesco (established rate up to 1 July 2017)	£7.62	£7.62	£7.62	£7.62
National Minimum Wage (current rate)	£4.00	£5.55	£6.95	N/A
National Minimum Wage (from 1 Apr 2017)	£4.05	£5.60	£7.05	£7.05
National Living Wage	N/A	N/A	N/A	£7.20*

\* This will increase to £7.50 on 1 April 2017.

**Will I have to work on Christmas Day, Boxing Day and New Year's Day? And what about other Bank Holidays during the year?**

**Does Tesco pay premium payments?**



At Tesco, working on Christmas Day, Boxing Day and New Year's Day (and 2 January in Scotland) is voluntary for **all** staff.

With regard to the other Bank Holidays, Tesco will always ask for volunteers in the first instance. If there aren't enough volunteers, staff (who joined on or after 26 January 2009) may be required to work if the Bank Holiday falls on a day they are normally scheduled to work.

If you work on a Sunday or Bank Holiday you will receive time and a half.

If you work between midnight and 6am you will receive £2.21 per hour (excluding breaks).

Overtime outside of Sundays, Bank Holidays and nights is paid at single time.

# Can Tesco change the hours I work without my agreement?

Tesco can ask staff, on any type of contract, to move their hours or move stores.

If the change cannot be informally and mutually agreed then the Company needs to follow the 'Moving People Around the Business' policy.

In line with Moving People Around the Business, Tesco must consult with staff, over a 30-day period, the change that they ask for must be reasonable, and they must take into consideration individual circumstances and any effect on pay/grade. You are also entitled to be represented at these meetings by an Usdaw Rep.

They must also provide you with a business case including why they need you to move your hours. In most cases changes to hours will be supported by Ideal Schedules which will clearly demonstrate why Tesco needs to move your hours.

If staff have commitments outside of work, such as primary childcare responsibilities/caring for a relative, health reasons or a second job, these could be justifiable reasons why that person cannot change their hours.

**I am on a flexi contract; do I have to work additional hours?**

**What do I do if I have a commitment outside of work that falls within my agreed availability window?**

Staff on a flexible contract who are asked to work additional hours are contractually required to do so, provided the hours fall within their agreed availability window and appropriate notice has been given.

If the additional hours fall outside of the agreed availability window then the individual is completely within their rights to refuse to work these hours.

You cannot be made to work more than 36.5 hours per week.

The Company has agreed that flexibility should be a two-way process and that every effort should be made by the store to accommodate ad-hoc requests to meet commitments outside of work which fall in the availability window.

**On a flexible contract am I entitled to premiums?**

**I am on a standard contract and my store wants to move me onto a flexible contract. Can they do this?**

**Can I opt-out of Sunday working and transfer the hours to another day?**

Yes. The appropriate premiums for Sundays, Bank Holidays and nights should be paid to all staff including staff on flexible contracts.

No. Existing staff should not be moved onto a flexible contract unless it's at the request of the individual or where there is a vacancy that staff can apply for.

Under the Sunday Trading Act 1994, all shop workers can opt out of Sunday working, unless it's their only working day.

You can opt-out of working Sundays at any time. You just need to give your Manager at least one month's notice by completing an 'Opt Out of Sunday Working' form. If you opt out, Tesco doesn't have to find you alternative hours elsewhere so you may end up with reduced take-home pay.

**Can I be made to work overtime?**

**I'd prefer to work through my  
breaks and leave work early.  
Can I do this?**



No. All overtime is voluntary. Therefore, the Company can ask you to work overtime but you can refuse.

Overtime hours are different to additional hours. People on part-time or on-day flexible contracts, have additional hours in their availability window which they have to work if required.

For people on fixed hours contracts, whether full-time or part-time, overtime is any time they work after they've fulfilled their weekly contracted hours.

Breaks should be taken in line with what's in your employment contract and the Staff Handbook. However, we know there will be instances when working through breaks does happen, ie to support someone with their caring commitments or health issues.

**I have been off sick. Will I get into trouble for this?**

**Do I get paid Company Sick Pay from day one?**

In Tesco all sickness is managed under the Sickness Absence Policy. Under this policy the absence review level is 3% or three periods of absence in a 26 week period.

However, if an individual hits this level it does not necessarily mean they will have to attend an Absence Review Meeting. For example someone with an excellent attendance history who has a week off with the flu could result in no further action being taken.

This will depend on when you started with the Company.

- If you started with the Company before 4 July 2004 you will get paid from day one.
- If you started on or after 4 July 2004 three waiting days will apply.

The three day waiting does not apply to pregnancy related absences and, therefore, the individual should be paid from day one.

**I was disciplined and received a written warning. If I appeal can they increase my warning?**

**May I have a Rep of my choice?**

The role of the Manager hearing the appeal is to assess the reasonableness of the original decision that was made – based on the facts at the time – and then either uphold or overturn that decision. They should not substitute a different/higher sanction just because they think that should have been the original outcome of the disciplinary.

You can request a specific Rep to represent you at the meetings. Where possible, you should choose a Rep from your store and your shift (for example, night staff should choose a Night Rep).

If your requested Rep is unavailable, the meeting can only be delayed for up to seven consecutive days. After this, you would be expected to select an available Rep.

Only in exceptional circumstances should a Rep from a different shift or store be chosen.

**Can my Manager refuse my holiday request?**

**When do I get my Privilegecard?**

Holidays need to be agreed between the individual and their Manager. In most cases we would expect holiday requests to be authorised. However, requests can be turned down if there isn't adequate cover in the department. In this case we suggest alternative dates are agreed to make sure the individual takes their full holiday entitlement.

There are no 'holiday freeze' periods in Tesco, ie days when nobody will be allowed to take a holiday.

Staff with at least six months' continuous service are entitled to a Privilegecard. The Privilegecard gives you 10% off your shopping up to the value of £1,000 each year. You can also get a second card for a family member you live with. Any abuse of Privilegecard, such as allowing other people to use your card, is classed as gross misconduct and could result in your dismissal.

**I need advice. How do I contact the Usdaw Rep?**

**Benefits that Usdaw has helped improve at Tesco:**



Contact details of Reps can be found on the noticeboard. Alternatively you can call the Usdaw Helpline on: **0845 60 60 640**.

- The Youth rate of pay has been abolished meaning 16 and 17 year olds receive the same rate of pay as their colleagues (based on length of service).
- All holiday and Bank Holiday pay is now based on the average of all your earnings in the previous 12 weeks or your contractual pay whichever is more – this means that you won't have any loss of pay when you take holidays.
- Company Maternity/Adoption Pay increased to 14 weeks.
- Long Service Awards increased.
- Regular increases to First Aid payments.
- Family friendly policies such as Foster Care, IVF and Organ Donation.



## **Rights at work**

This is not a comprehensive list of your rights at work but we hope that you are now better informed. Don't simply accept what you are told as necessarily being the Company's official policy.

The information in this booklet is based on written replies from senior management to the Union, or from information contained within your Contract of Employment, Staff Handbook and various directives to management from Head Office.

Stand up for your rights at work – better still, join Usdaw and we will do it for you.

## **Your right to join a trade union**

In the UK every person has the legal right to join a trade union.

In Tesco, that right is written into the Joint Company and Union Agreement.

Usdaw is recognised by the Company as the appropriate union for its retail staff and we are given facilities to recruit new members in the stores. This facility enables us to distribute our leaflets and talk with staff about the benefits of joining the Union. We are also given the facility of talking to new staff during their induction.

If you join Usdaw today you will add your membership to the growing number of people who want the Union to fully represent them.

There is information on the back of this booklet about how to join Usdaw.



For more information  
about Usdaw or to join  
call **0845 60 60 640**  
or visit **[www.usdaw.org.uk](http://www.usdaw.org.uk)**

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**Improving workers' lives  
– Winning for members**

