

Your rights in the AIDS era. 2, Your rights at work / Immunity.

Contributors

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i mmunity

Society for HIV Research and Education

Updated
SECOND EDITION

YOUR RIGHTS IN THE AIDS ERA

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2. Your rights
at work

This diary is designed so that you can check off, according to the length of time you have been employed, what rights you may (or may not) have. If you feel any of these rights are being infringed, get advice from Immunity or some other specialist organisation.

I began work on 198

From my first pay day I am entitled to an itemised pay slip showing what deductions have been made from my wages.

Remedy: If you do not receive this, you can make a claim to an industrial tribunal.

The tribunal can award you compensation amounting to the total sums deducted from your pay without notice.

After **four weeks** I am entitled to a week's notice before I am sacked.

My contract may entitle me to more notice, even from the first day I start work.

Remedy: If you do not get the notice you are entitled to, or pay instead, you can sue in the County Court for the money due to you.

The only time notice – or pay instead of it – need not be given is in cases where you are dismissed for gross misconduct.

If you have a contract which lays down a full disciplinary procedure with a timetable for it, the notice you are entitled to may be extended by the time it takes the disciplinary procedure to operate.

You may be able to get a court to say your employer should follow the procedure before actually getting rid of you.

Before the end of **thirteen weeks** I am entitled to a written statement of my terms of employment.

That should include details of:

- the date when my employment began,
- my rate of pay, or how it is worked out, when it is paid and details of any other benefits,
- my hours of work and working patterns,
- my holidays and holiday pay,
- sickness and sick pay,
- the length of notice I must be given,
- my pension rights,
- the title of the job I am employed to do, my capacity and where I am employed to work.

The statement should also include:

- details of disciplinary rules or procedures,
- the name of the person who will deal with my grievances.

Any changes in the details must be given to me in **writing within one month.**

If I work for an agency I am entitled to all these details **at once.**

Remedy: If you aren't given a contract within a month, you can apply to an industrial tribunal to fix the terms.

That also applies if you are given a contract with any of the terms missing.

After **six months** I am entitled on request to written reasons for why I have been sacked.

Remedy: If your employer unreasonably refuses to give you written reasons or if you can establish that the reasons are false, a tribunal can award you two weeks' gross wages as compensation.

After **two years** I am entitled to a minimum of two weeks' notice. Plus another week's notice for full year's service after that up to a maximum of 12 weeks.

If I'm not given notice I am entitled to be paid my

wages in full instead.

Remedy: You can sue in the county court – or if you are unfairly dismissed and claiming in a tribunal, this may form part of your loss of wages in a compensation claim.

After **two years** I have a right not to be unfairly sacked.

Remedy: You can apply to an industrial tribunal.

If you win you should get a basic award against the employer, which is on a sliding scale according to your age and length of service, plus a compensatory award to cover money lost until you get another job.

Unfair dismissal includes being made redundant unfairly or being forced into a position where you feel you have to resign because of some totally unreasonable conduct on the part of your employer.

After **two years** I have a right to compensation if I am sacked because of redundancy.

Remedy: If you are not paid, you can apply to an industrial tribunal for an order for payment. If you are not paid because of your employer's insolvency, you can apply to the Department of Employment for payment out of a compensation fund. In this case it may not be necessary to apply to a tribunal so long as you can convince the department that your employer has no money to pay you.

I have rights – they don't depend on how long you've been in the job – not to be discriminated against on the grounds of sex, race or trade union activities. And those rights cover the time while you're still applying for the job.

For details of those rights see Your Rights in the Aids Era leaflet 3, Discrimination at Work.

LONDON AND NATIONAL GROUPS AND SERVICES

Afro Caribbean Helpline Service: Black advisers offering specialised advice and support. Fridays 6pm-10pm, on the National AIDS Helpline (0800-567 123). Calls free

AIDS and Housing Project: Write: 16-18 Strutton Ground, London SW1P 2HP

AIDS Helpline: Information from the College of Health. Daily, 2pm-10pm

Asian AIDS Helpline: Advice given in Bengali, Gujarati, Hindi and English. Wednesdays 6pm-10pm, on 0800-282 445. Calls free

Cantonese AIDS Helpline: Advice given in Cantonese. Tuesdays 6pm-10pm, on 0800-282 445. Calls free

Body Positive: Mutual help and support group. Drop-in centre at 51b Philbeach Gardens, London SW5. Write: PO Box 483, London W14 0TS. Helpline: (7pm-10pm) 01-373 9124

Body Positive Support Group: For newly diagnosed people with HIV infection and others with the infection who are anxious, plus the lovers, close friends and relatives of both groups. Meets Sundays at 12.15pm (for 12.30pm) on the second floor at the London Lesbian and Gay Centre, 69 Cowcross Street, London EC1

Care and Resources for People Affected by AIDS/HIV (CARA): Christian group offering support to Christians and non-Christians affected by HIV infection and by AIDS. Write: 178 Lancaster Road, London W11 1QU. Phone: 01-792 8299

Dentists who treat people with HIV infection: NHS Special Needs Dental Clinic, Alderney Street, London SW1. (Mondays, 3pm-5pm, Tuesdays, Wednesdays 9am-12pm) Phone: 01-630 8436 Or: advice on who to see from Mrs Satchell at City and Hackney Health Authority. Phone: 01-253 3080

Drug Users and Ex-Users with HIV infection/AIDS/ARC: run by Terrence Higgins Trust. Meets Fridays 7pm-9pm at Trust's offices (52-54 Grays Inn Road, WC1) Info: David Bickerton on 01-831 0330

Ealing AIDS Response: Local group. Write: PO Box 16, Isleworth, Middlesex, TW7 6AG. Phone: 01-983 8872

Frontliners: Mutual help and support group for people who have AIDS. Write: c/o Terrence Higgins Trust, BM AIDS, London WC1N 3XX. Phone 01-831 0330

Haringey Health Authority Helpline: Counselling and advice on the phone on 01-801 1490/01808-1081, extension 212 (10am-6pm)

Haemophilia Society: Information, advice and support for everyone who has haemophilia - and special representation of and support for people with haemophilia infected with HIV by using Factor 8. Write: 123 Westminster Bridge Road, London SE1. Phone: 01-928 2020

Immunity: HIV research and health education charity. With full-time specialist legal centre for anyone with a legal problem connected with HIV infection, AIDS or an AIDS-related complex. Advice and court representation on offer. Also welfare rights advice. Open 10am-5.30pm. Phone to fix an appointment. Charity and legal centre at 260A Kilburn Lane, London W10 4BA. Phone: 01-968 8909

Italian Drug Users and Ex-Users Group: run

by Terrence Higgins Trust. Meets Wednesdays 6pm-7.30pm at Basement, SCODA, 1-4 Hatten Place, London EC1 8TD. Info: David Bickerton on 01-831 0330 or Dr Massimo Riccio on 01-352 8161

The Landmark: Day centre for people who have HIV infection and people who have AIDS. Will offer advice, recreational facilities, meals. Plus info for other people. 47 Tulse Hill, London SW2. Phone 01-671 7611/2

Lesbian Employment Rights: Non-AIDS specialist. Good on rights at work. Address: as LAGER Phone: 01-587 1636 (Mon-Thur 7pm-10pm)

Lesbian & Gay Employment Rights (LAGER): Specialist in rights at work. Mainly men. Write: Room 203 Southbank House, Black Prince Road, London SE1 7SJ. Phone: 01-587 1643. (Mon-Fri, noon-5pm)

London Lesbian and Gay Switchboard: The original helpline. Not an AIDS specialist - but helpful. Write BM Switchboard, London WC1N 3XX. Phone: 01-837 7324 (24hrs)

London Lesbian Line: Information, support and advice for women. Phone 01-251 6811, Mondays and Fridays 2pm-10pm, Tuesdays-Thursdays 7pm-10pm

London Lighthouse: Hospice and drop-in centre. Offers counselling, health advice, support at home, breaks for carers and terminal care. 111 Lancaster Road, London W11 1QU. Phone 01-792 1200

National AIDS Helpline: Phone - free of charge for free leaflets (0800-555 777) or confidential advice (0800-567 123). 24 hours a day

North London Social and Support Group: Info: Joe on 01-482 4107

Nurses Support Group: Runs helpline for healthcare workers who need advice and help on HIV problems, Mondays and Wednesdays 7pm-10pm, on 01-708 5606

Positively Women: Group of women who have HIV infection or have AIDS. Meets in central London. Info: 01-837 9706 (Mondays-Fridays, 10am-5pm)

Project for Advice, Counselling and Education (PACE): One-to-one counselling and training in counselling. Meetings and write c/o London Lesbian and Gay Centre, 69 Cowcross Street, London EC1. Phone: 01-251-2689

South London Support and Social Group: Info: Rick, 01-675 3919

Standing Conference on Drug Abuse (SCODA): Information officer keeps up-to-date list of needle exchange schemes. 1-4 Hatten Place, London EC1. Phone: 01-430 2341/3

Terrence Higgins Trust: Information and counselling about HIV infection and AIDS. Plus support groups and trained volunteers to help people with HIV infection and people with AIDS. Write: BM AIDS, London WC1N 3XX. Phone: 01-831 0330 (admin only) 01-242 1010 (helpline, daily, 3pm-10pm)

Women's Health and Reproductive Rights Information Centre: Not an AIDS-specialist - helpful. Advice on all health issues affecting women, including HIV infection and AIDS. 52-54 Featherstone Street, London EC1. Phone: 01-351 6332

Women's Support Group: Run by Terrence Higgins Trust. Info: 01-831 0330

What's AIDS?

AIDS is short for the Acquired Immune Deficiency Syndrome. If you have AIDS your body's defence system against all sort of infections is weakened so much you catch diseases which people whose immune systems aren't affected can just shrug off. And, when you catch them, the diseases turn out to be much more serious than they are in people with healthy immune systems. Nobody knows for certain, but it look as if everyone who has AIDS dies of one of the diseases they catch, such as a fairly rare form of pneumonia. You can't catch AIDS. It develops in you for some reason. HIV probably causes that to happen.

What's HIV?

HIV is short for the Human Immunodeficiency Virus. It was first discovered in 1983. Since then it has been called LAV and HTLVIII. But since 1986 the proper name for it has been HIV. It may cause AIDS to develop in you. You can catch HIV infection by allowing your body fluids — blood, semen or vaginal fluids — to become mixed with the body fluids of some who's already infected. HIV isn't like most viruses because, when you're infected it lives inside blood cells which are part of your body's defence system.

What's Immunity

Immunity is a charity started in 1985 to research into HIV. Its aim is to find some way of helping people who have HIV infection stay well longer. It also runs fitness classes and produces education leaflets and relaxation tapes. With funds from the London Boroughs Grants Scheme, Immunity runs a legal centre in London to give advice and assistance to people who have HIV infection and people who have AIDS. Phone first before visiting to fix a time to call. The address and phone number are at the bottom of this page.

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