# **Enterprise - AWR- Agency Workers Regulations**

Last Modified on 02/26/2025 3:36 pm CST

## What is AWR?

The Agency Workers Regulations (AWR) define when staffing agencies must provide equal benefits to temporary candidates as they do to full-time candidates. Equal benefits are based on the Customer's benefits, not the staffing company.

The start date of the candidate's qualification is determined by the length of the candidate's placement: a candidate who is working on the same placement for the same company for more than 12 weeks is required by AWR to receive equal treatment.

Equal treatment can include items such as extra breaks, leave, equal pay, break room privileges, etc. The placement length is determined by the type of placement, length of placement, and type of breaks taken during the placement. Specific breaks will either continue tracking the AWR status, reset it, or pause tracking, depending upon the situation of the candidate.

Think of AWR tracking much like a clock with start and stop times. The candidate may work for more than one company during a week and have more than one qualifying period running at a time. When AWR tracking is set up in TempWorks, the candidate's AWR status is calculated during daily maintenance and is displayed in the candidate's avatar area.

\*Note\* There are specific circumstances where candidates could be outside the scope of regulations. These regulations apply to Great Britain. Northern Ireland will follow similar AWR regulations but have their own national laws concerning the benefits.

TempWorks requires two steps be setup in order to track the AWR status accurately:

- 1. Placements must be set up appropriately
- 2. A service rep must review the candidate AWR status

## **Candidate AWR Status**

Navigate to the candidate avatar area to review the current AWR status(es). Hovering over the crown will list the customer(s) where the candidate is currently placed and contributing to AWR. Specific color codes within the crown will indicate what action, if any, will need to be taken by the service rep.

In order for the AWR clock to be tracked properly users must ensure that candidate placements are set up correctly and that the statuses are regularly maintained. Failure to correctly setup placements could result in skewed calculations and null tracking.



#### **Crown AWR status indicators:**

- Green: Active- The candidate is currently in an evaluation period working and accruing weeks to receive AWR benefits. No immediate action is needed.
- Yellow: Warning- The candidate is coming up upon a review, the candidate has worked at a placement for 10 to 12 weeks and the service rep should confirm that the employee qualifies for equal treatment at Week 12.
- **Grey:** Inactive- The candidate is not currently on a placement, this is typically seen on a candidate until they are put on a placement.
- Red: Overdue- The candidate has reached week 12 of the placement, the service rep should review the AWR status to confirm that the employee qualifies for equal treatment.

\*Note\* If a candidate has multiple AWR statuses on their record and any one of those are overdue, the crown will remain red to indicate necessary action.

In the below example we can see that Rodney's status is well over 12 weeks, hence the red (overdue) colored crown.



In this example we can see the candidate is coming upon review for Hogwarts, hence the yellow (warning) colored crown.

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visifile details	AWR Status fo	<b>JS</b> r this employ	vee by custor	mer	
aca assignment r	AWR Test - Moline	1/1/2015	Active	Week: 1	×
contact meth	Tea N Crumpets	10/2/2015	Qualifying	Week: 8	
candidacy direct hire	Hogwarts School of W	9/4/2015	Warning	Week: 12	
education	Devonshire Creamery	10/9/2015	Qualifying	Week: 7	
interpersonal interview que	Society for the Promo	9/25/2015	Qualifying	Week: 9	

In the below example it is listing: the customer(s) for whom the candidate is working, the date equates to the first day worked (this date is pulling from the timecard, if there are no timecards, then the assignment start date will be listed) AWR status, and a checkbox indicating whether the service rep has reviewed the status (explained below).

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	visifile		AWR Statu	<b>IS</b>	ht-		
►	details		AWK Status to	r this employe	e by custo	omer	
•	documents integrations	Molines	Premium Pizz	5/17/2015	Active	Week: 1	×
Þ	evaluations	Moline P	izza UK	11/18/2015	Inactive	Week: 0	

#### Service Rep Review:

Within the candidate record the service rep must review the AWR status before the candidate is marked active to receive benefits. To review the AWR status, click on the crown icon within the avatar area.

Select the checkbox next to the customer name, this will automatically open a message window to allow for the service rep to log a message accordingly. Users can select specific message action codes that correlate directly with AWR tracking.

\*Note\* Initial setup of message action codes will be done within the administration section of the system. Please see your system administrator to enter additional message action codes.

Action     Action     Review completed     Details   Attachments   Date/Time     11/25/2015 2:36:00 PM   There are currently no follow-up items for this message.   There are currently no follow-up items for this message.     Ink Employee   Moline, Robert   Link Contact     Ink Order   Ink Assignment	messa	ige			
Review completed     Details     Attachments     Date/Time     11/25/2015 2:36:00 PM     Lindsey.schneider     Ink Employee   Moline, Robert   Ink Contact     Ink Contact     Ink Contact     Ink Contact     Ink Assignment	tion Accepte	ed 🔻			
Details Attachments   Date/Time 11/25/2015 2:36:00 PM   Rep Name lindsey.schneider   .ink Employee Moline, Robert   .ink Contact <   Customer    .ink Order    .ink Assignment	eview complete	d			
ate/Time 11/25/2015 2:36:00 PM message. index of contents in tonsor up nems for this message. ✓ create a task immessage. ✓ create a task Moline, Robert ink Contact ustomer ink Order ink Assignment ✓ Ø	Details A	ttachments			follow-up There are currently no follow-up items for this
ep Name lindsey.schneider   ink Employee Moline, Robert   ink Contact    ustomer    ink Order    ink Assignment	te/Time	11/25/2015 2:36:00 PM			message.
ink Employee Moline, Robert   ink Contact Image: Constant in the second in the se	o Name	lindsey.schneider			create a task
ink Contact  ustomer ink Order ink Assignment	k Employee	Moline, Robert			schedule an appointment
ustomer	k Contact		Ŧ	ð	
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ink Assignment 🥏 🥏	k Order		Ŧ	ð	
	k Assignment		Ŧ	ð	

\*Note\* It is recommended to choose an appropriate message action code and place additional notes into the large message area for tracking and searching purposes. Along with logging the message on the candidate record, linking the customer and placement within the message will help record the message details on all affiliated records.

Hover over the AWR status for a specific client to preview the reviewed date and the service rep who reviewed the AWR status for the candidate:

🥚 🗒 🗹 🖂	*
visifile	Review Date: 11/25/2015 Reviewed By: Lindsey Schneider
<ul> <li>details</li> </ul>	Customer: Molines Premium Pizza Supplies
<ul><li>documents</li><li>integrations</li></ul>	Molines Premium Pizz 5/17/2015 Active Week: 1 💌
<ul> <li>evaluations</li> </ul>	Moline Pizza UK 11/18/2015 Inactive Week: 0
messages	Thre Status Eligible for Hire
pay history	Notes
pay setup	

## **Activity Tracker**

Within the candidate record (1.) users may also view the activity tracker by navigating to details (2.), activity tracker (3.):

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Balderstone, DG	att 2	ern	ID: 429 NI: xx x	5066826 x x3 99 C		]1.	
🥏 🗒 🗹 🖃 👾							
visifile 2.							
<ul> <li>details</li> </ul>			Day	Week	Month	Ti	meline
aca			-				
assignment restrictions				Sund	day		
contact methods			¥.,			29	
candidacy		ъ					12:00 AM
direct hire		5 D					
education		- 2					
interpersonal		Ž					
interview questionnaire		56					
past jobs							
required docs 3.						6	
activity tracker		0					12:00 AM

Within this section users will be able to view the placements (1.), availability (2.), and AWR statuses (3.) in a calendar format. Toggle to view the information in a day, week, month, or timeline format. Users may also scroll the calendar to the month they desire:

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visifile															•	ç.
details		Da	v Week Mont	h Timeline							Decembe	r 201!	5 📢	12/2/2015		•
assignment restrictions			,							_					_	
contact methods			Sunday	Monday		Tuesday		2. 3 Wednesday	Thursday		Friday			Saturday		
candidacy		1	2	9	30	December	1	● <u></u>		3		4			5	
direct hire		lec		12:00 AM - 12:00 AM		12:00 AM - 12:00 AM		12:00 AM - 12:00 AM 1.	12:00 AM - 12:00 AM		12:00 AM - 12:00 AM					
education		<u>,</u>		12:00 AM - 12:00 AM		12:00 AM - 12:00 AM		12:00 AM - 12:00 AM	12:00 AM - 12:00 AM		12:00 AM - 12:00 AM					
interpersonal		20														
interview questionnaire		27														
past jobs																
required docs				6	7		8	9	1	10		11			12	
activity tracker				12:00 AM - 12:00 AM		12:00 AM - 12:00 AM		12:00 AM - 12:00 AM	12:00 AM - 12:00 AM		12:00 AM - 12:00 AM					
test scores		Lec		12:00 AM - 12:00 AM		12:00 AM - 12:00 AM		12:00 AM - 12:00 AM	12:00 AM - 12:00 AM		12:00 AM - 12:00 AM					
transportation	÷	1														
unemployment		ė														
work experience																
work interests		-	1	3	14		15	16		17		18			19	
documents				12:00 AM - 12:00 AM		12:00 AM - 12:00 AM		12:00 AM - 12:00 AM	12:00 AM - 12:00 AM		12:00 AM - 12:00 AM					
integrations	6	Lec		12:00 AM - 12:00 AM		12:00 AM - 12:00 AM		12:00 AM - 12:00 AM	12:00 AM - 12:00 AM		12:00 AM - 12:00 AM					
evaluations	4	17														
messages	5	- 1														
employee																

Selecting the settings icon will open the availability tracker settings window. Within this area users can toggle between viewing preferences of what will appear within the calendar.

This will allow users to show employee availability and/or show assignments and/or show AWR weeks:

	⊘ ×
availability tracker setting	gs
<ul> <li>Show Employee Availability</li> <li>Show Assignments</li> <li>Show AWR Weeks</li> </ul>	
• 🔺 🛛 🖻	Save

\*Note\* When selecting only show AWR weeks the schedule and availability will be hidden and only the crowns will display:

Monday						
-		···· 30				

Hover over the placement within the calendar to preview a quick popup list of basic information about that placement:



Double-click on the placement to preview the details including job title, placement status, order contacts, company, and address information:



Selecting the edit assignment option allows users to make quick updates to the placement without having to move away from the activity tracking screen:

### assignment details

assignment	information	financial deta	ils	
Employee	Mattern, Rodney	Multiplier	None    Overtime Factor   1.5000	-
Aldent	4295066826	Bill Rate	\$22.00 Pay Rate \$13.00	
Customer	Moline Pizza UK	Salary Bill	\$0.00 Salary \$0.00	
Department	Primary	Unit Bill	\$0.0000 Unit Pay Rate \$0.0000	
Order ID	4295034643		Other Agency Pay \$0.00	
Assignment ID	4301384773	Overtime Bill	\$33.00 Overtime Pay \$19.50	
Alt Assignment ID		Doubletime Bill	\$44.00 Doubletime Pay \$26.00	
Temp Phone	()	Company	High Tech Staffing	-
Status	Open 🔻	EINC	0 - W2	
Replaces		Worker Comp Code	8810	-
	Customer DNA Employee DNA	Payroll Notes		
job informat	ion			
Job Title	Admin. Assist.	PO Number		
Business Code		othor informa	tion	
Start Date	4/26/2015			
Expected End Date	e Original Start 2/9/2015	Sales leam Defau	t - Assigned 11/24/2015 12:04:00 PM	
Actual Date Ended		Service Rep Lindse	y Schneider 🔻 Entered By lindsey.schneider	
Shift		Referred by	No Auto Close	
Start Time	End Time	Branch Cardif	UK 🗾 📄 Noncomparable	
Shift Notes			Resets AWR Clock	
	Sun Mon Tue Wed Thu Fri Sat	Perf Note		
0 🔺			🗙 Cancel	Save

#### Availability

Double-click within the calendar area on any given date to open the availability section. Users may choose between available, partially available, and unavailable as well as include notes correlating to the availability status.

This section is useful when a candidate may not be open to work certain days or they have appointments that will not allow them to complete a full day work at a placement.

? ×



Once the user selects the availability option for the calendar date needed select the + icon to indicate the start and end time related to the status. Enter any notes correlating to the status:

	② X
11/30/2015 availability	
availability	×
Available	
Partially Available	
Unavailable	
available between	- ×
Start Time End Time	^
6:00 AM 12:00 PM	
	Ŧ
note	
Has physical therapy in the afternoons.	
0 🛦 🗙 Cancel 💾	Save

Users may setup recurring availability, this will only affect items from the current day and moving forward. Within the activity tracker view select the actions menu > new recurring availability.



This will open the edit recurrence window, enter the start and end date, recurrence information and days, as well as the availability status.

	X
🜩 edit recurrence	
recurrence rules	×
Start Date 12/2/2015   End Date 1/2/2016	
Recurs every 1 week(s) on	
Sun Mon Tue Wed Thu Fri Sa	t
availability	
Available	
Partially Available	
Unavailable	
note	
0 🛦 🛛 🗙 Cancel 💾 S	ave

\*Note\* Recurrences start from the specific day indicated, not the start of the week. Therefore, if you setup a recurring availability to repeat Monday, Wednesday, Friday every two weeks and have it start on a Wednesday, the following Monday will be set as it is the first Monday of the recurrence.

Searching Availability Information:Under the candidate enhanced search section users will find the availability category, within this area users will search based on the availability information created within the activity tracker area.

visifile <ul> <li>details</li> <li>documents</li> <li>integrations</li> </ul>	Last Name First Name	SSN ID		All Records Active	RepName Branch	Jathan All Brar	N T	Document Text
<ul> <li>evaluations</li> <li>messages</li> <li>pay history</li> </ul>			Enhand	e Search		Saved	Searc	hes
<ul> <li>pay setup tasks</li> </ul>	Location Profile	Â	•					
search	Personal Status Assignments Order Candidate Document	ďď	Availability Availability Availability	/ Status / Date / Time				
employee	Job History Testing							
customer	Education	- 1						
order assignment	Financial Bank Information Custom Data							
contact	ACA ACA Statistics	- 1						
calendar	Availability Interview Questionn	aire						

\*Note\* If searching for specific times, the search results will return candidates who have partial time within that range or those who say they were available on that day.

#### **AWR Statuses in Activity Tracker**

Within the activity tracker users will see the AWR statuses and coordinating crown colors based upon the placement information. In this example we can see that the 17th, 18th, and 24th all hold different crown colors based on how long the candidate has been at that particular company.

17	18
5:00 PM - 8:00 PM	8:00 AM - 5:00 PM
12:00 AM - 12:00 AM	5:00 PM - 8:00 PM
24	25
5:00 PM - 8:00 PM	8:00 AM - 5:00 PM
12:00 AM - 12:00 AM	6:00 AM - 9:00 AM
	6:00 AM - 9:00 AM
	6:00 AM - 9:00 AM 6:00 AM - 9:00 AM
	6:00 AM - 9:00 AM 6:00 AM - 9:00 AM 6:00 AM - 9:00 AM

Hovering over the crown populates AWR status information. If there are multiple crowns within one date, hover

over each of them to preview the AWR status details for each status:

6:00 AM	- 9·00 ΔM	7 110	
5:00 PM	Customer	Tea N Crump	ets
8:00 PM	Week Start AWR Week	10/9/2015 2	
8:00 PM	Rule	Standard 12	Week Rule
• 👻	<u> </u>	9	
• 🛓	- 5:00 PM	9	8:00 PM - 10:00
8:00 AM 6:00 AM	- 5:00 PM - 9:00 AM	9	8:00 PM - 10:00

### **Placements**

Once within the candidate placement, the start date, end date, performance code, non-comparable, and resets AWR clock section are all factors that contribute to the AWR status calculation.

Navigate to (1.) assignment (2.) details for the candidate. Within this section we will look at different areas of the placement to ensure clear understanding of AWR tracking.

Alexande Aztec Warehu Assignment II Order ID: 75	e <b>r, Steve</b> ousing, Warehouse Per D: 150 Employ	r <b>son</b> ee ID: 4		!       Vanessa 2         !       Paul/PJ/chec         !       JudSandery/	k in call interview/1st	st <mark>!</mark> Ja	mesDun Icc <b>k/PD/</b>	nphy/call/check in /Call re: peak sease	DU .	Ĵ
	+	🔸 🗣 ★	🖸   Q, 🛉 🕴	► tasks a	ppointment	s social	ema	il	+ 🔻	ວ →
▲ details	placement in	formation			financial d	etails				
accruals 2.	Candidate	Alexander, Steve		Q.	Multiplier	None	Ŧ	Overtime Factor	1.5000	*
adjustments	Aldent	4		Q	Bill Rate	£10.00		Pay Rate	£8.00	
<ul> <li>integrations</li> </ul>	Customer	Aztec Warehousing		Q,	Salary Bill	£0.00		Salary	£0.00	
messages	Department	Primary		Q,	Unit Bill	£0.00		Unit Pay Rate	£0.00	
tasks	Order ID	75		Q				Other Agency Pay	£0.00	
Sourch	Placement ID	150			Overtime Bill	£15.00		Overtime Pay	£12.00	
	Alt Assignment ID				Doubletime Bill	£20.00		Doubletime Pay	£16.00	
	Temp Phone				Company	High Tech	Staffing			*
	Status	Complete		Ψ.	EINC	2	Ŧ	💌 W2		
	Replaces			*	Worker Comp C	ode 0000				×
		Customer DNA	Employee D	NA	Payroll Notes					
	job informatio	on								
	Job Title	Warehouse Person	n	*						
	Business Code			*						
	Start Date	08/07/2015								
	Expected End Date	08/07/2015	Original Start	08/07/2015						
candidate	Actual Date Ended	04/11/2015								
customer	Start Time	00.00	End Time	17.00	PO Number					*
order 1.	Shift Notes	08:00	Lind fillie	17:00	other infor	mation				
placement	Sincholes				Sales Team		- As	signed 30/10/20	15 04:37:00	,
contact	•				Service Rep	ukeval3	- En	tered By ukeval3		
nav / hill		Sun 📕 Mon 🚺	Tue Wed	Thu 📕 Fri 📕 Sat	Acct Manager		-	No Auto Close		
					Branch	High Tech Glas	-	Noncomparable		
calendar								Resets AWR Clock	:	
reports					Perf Note					
all options										

#### Status (Performance Code)

The status (performance code) of the placement plays an extremely crucial role in how the clock (AWR status)

should continue to run (calculate AWR) or pause the clock depending upon the circumstance of the candidate. The weeks that a candidate work are counted (clocked).

Certain breaks may cause the clock to pause: to stop counting until the break ends, at which point the counting continues uninterrupted, or until a deadline is reached, at which point the counting starts over. Other breaks allow the clock to continue counting, as if the employee was still working.

The clock tabulates by a standard 12 week count, 26 week count, 28 week count, indefinite hold, or consider the placement exempt all together from AWR regulations. These regulations ensure that certain breaks will not prevent the candidate from completing a qualifying period.

Using our clock example, think of a qualifying period as a clock running from 0-12. At times a gap between placements or a move to a new placement will cause the clock to reset to 0. In other cases, a break will pause the clock and then continue to start again when the candidate returns to the placement. Lastly, the clock can continue to tick even if the candidate is not working on a placement.

\*Note\* AWR regulations state that the lengths of two consecutive assignments can be combined if they fulfill the same role for the same customer.

Status	Open 🔺
Replaces	Description
	Jury Service
iob inform	No Show/No Call
, Job Title	No Show/No Call but has hours to be paid/billed
Business Code	Open
Start Date	Ordinary Maternity Leave
Evented End F	PayRaise
Expected End t	Pending Authorization to be released
Actual Date En	Plant Shutdown
Shift	Poor
Start Time	Rate Change
Shift Notes	Released - New Job Description
	Released - Not a good fit
	Released: no fit with customer
	Sickness/Injury
	Testing if leaving filporderfrom Null works
	Unable to Complete Assignment
	Harstiefastan Labor

Navigate to the status section of the placement, click the drop down to select the correct performance code:

#### Performance codes to use on placement:

- Open is the standard 12 week rule
- Ordinary Maternity Leave 26 week continue
- Indefinite hold The candidate clock stops and does not reset
- Sick 28 week hold

- Jury Service 28 week hold
- Plant Shutdown Indefinite hold

Breaks that will allow the clock to continue to tick for 26 weeks are those related to child birth, maternity/paternity leave, pregnancy or adoption leave. The clock will continue ticking until the anticipated end date of the assignment, at which point the clock will reset to Week 0.

Breaks that will pause the clock for up to 28 weeks include sickness or injury, annual leave, jury duty, a shutdown such as a holiday, or a strike, lock out or other industrial action. After 28 consecutive weeks, the clock will reset to 0.

Indefinite holds can include scenarios such as plant shutdowns. The clock will reset to zero after 6 weeks of Inactivity. The clock will reset to zero if the candidate stops working for one client and begins working for another.

\*Note\* For more information on qualifying clock scenarios please navigate to page 20 of the Agency Worker Regulations Guidance manual.

#### Start and End dates on the placement

- Start dates on the placement also play a role in how AWR is calculated:
  - If the assignment is marked as a leave of absence (based on the assignment status used), the AWR status will not be calculated until 7 days after the start date.
  - If the assignment is not marked as on a leave of absence (based on the assignment status used), the AWR status will depend on the weekend date of the timecard.
- End Dates:
  - If the assignment is marked as on a leave of absence (based on the assignment status used), the AWR status will be calculated for qualifying assignments ending in the past 36 months.
  - If the assignment is not marked as on a leave of absence (based on the assignment status used), the AWR status will depend on the weekend date of the time card.

#### Non-Comparable

Within a candidate placement, users may select the non-comparable checkbox to exempt the placement from AWR calculation. Choosing this option signifies that the role (job title) filled by this placement is not comparable to any other full-time candidates, so equal treatment cannot be determined.

As an example, we can check this option if this person is a CEO, this indicates that the user can't compare this candidate to another CEO, since there is only one CEO position for a company. This can also stand true for supervisors, managers, chief operators, and any other position where there is only one person doing that job.

Sales Team		٣	Assigned	30/10/2015 04:37:00
Service Rep	ukeval3	×	Entered By	ukeval3
Acct Manager		*	No Auto	Close
Branch	High Tech Glas		X Noncom	parable
			Resets A	WR Clock
Perf Note				

#### **Resets AWR Clock**

If the user selects this checkbox, the AWR clock for this candidate placement will restart at Week 1.

\*Note\* This checkbox should be used when a candidate ends one placement for a client and begins a different type of placement (fulfilling a different role) for that same customer.

For example, the candidate is a timekeeper and they will now move to an administrative assistant position. Users must end the initial placement, in this example the timekeeper position. Place the actual date ended in to ensure the placement is complete as well as managing AWR tracking.

ales Team		*	Assigned	30/10/2015 04:37:00	
ervice Rep	ukeval3	Ψ.	Entered By	ukeval3	
Acct Manager		Ŧ	No Auto	Close	
Branch	High Tech Glas	-	Noncomparable		
			Resets A	WR Clock	
Perf Note	-				

Once the first placement has ended users may now create the new placement with new job title information. Within the new placement users must select the Resets AWR clock icon. This will now set the clock back to Week 1.

\*Note\* For more information regarding the legalities of AWR please visit the guide provided by the government: https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/32121/11-949-agency-workers-regulations-guidance.pdf.

## **Related Articles**