

YOUR WORKING RIGHTS AT A GLANCE:

Category of Worker	Criteria	Documents	Maximum length of stay	Renewable/extendable	Any restrictions on work?	Can change employers?	Access to employment rights
EEA Nationals	National of an EEA state or family member	Passport or National ID card/Worker registration card and certificate for A8 nationals in first 12 months	Indefinite	N/A	No – possible except being higher level public sector/civil servant jobs	Yes	Yes
A8 Workers on registration scheme	National of an A8 country	Passport	Initial grant of 12 months then indefinite	Indefinite after first 12 months	No	Yes	Yes
Work Permit Holders	Non EEA nationals who are offered work by UK-based employer	Work Permit Passport	Five years	Yes – can apply for indefinite leave to remain after four years	Yes – limited to employer that recruited them and applied for permit	Restricted – only if another employer applies for work permit for worker	Yes
Workers under the Fresh Talent Scheme	Outside EEA who studied in Scotland for HND, Degree, Masters, Phd and who lived in Scotland while studying	FLR form Valid degree certificate	Two years	Yes – can apply for a work permit , HSMP, Business person or innovator	Can only work in Scotland	Yes	Yes
Overseas Students	Proof of acceptance on approved course of study	Visa Passport	Duration of course	Can in some cases transfer to work permit employment following course	Yes – no more than 20 hours per week during term-time. Must not interfere with study	Yes	Yes
Working holidaymakers	Commonwealth citizens aged 17-30, with no dependent children over 5 years old	Visa Entrance clearance certificate	Two years	Two years maximum – but can apply for extension as work permit holder if meet requirements	Allowed to do any work, but must also take a holiday of 12 months out of a stay of 24 months	Yes	Yes
Seasonal Workers in Agriculture (SAW)	Students in fulltime education	Home Office Work Card	From five weeks to six months maximum	Can apply again after three months	Agricultural work	Not without agreement of scheme operator	Yes – but limited access to due short length of stay

Domestic Workers in Private Households		Stamp in passport indicates length of stay	Six months if employer is here as visitor. Twelve months if employer is staying longer	Yes – further twelve months. Once worker has worked continuously for employer for four years can apply for Leave to Remain	Yes – if time limited employment. No restrictions if granted Indefinite Leave to Remain	Yes – but only to similar post as domestic worker in private household (unless granted ILR)	Yes – with some exceptions from some elements of discrimination law and working time regulations
Asylum Seekers	Applied for protection in UK under international conventions	Application Registration Card	N/A	N/A	Not allowed to work if applied for asylum after July 2002	Yes	Yes
Refugees	Protection given under 1951 Convention Relating to Status of Refugees or under Human Rights Act 1998	Immigration Status Document (ISD)	Granted either Indefinite to Leave to Remain or ELR, HP or DL	N/A	No restrictions	Yes	Yes
Illegal Workers	Overstayed visa, in breach of visa, failed asylum claim or entered clandestinely	N/A	N/A	N/A	Not allowed to work	N/A	Case law is unclear on whether there is protection