

AVERAGE DAILY HOURS AGREEMENT FOR LIVE-IN PERSONAL ASSISTANTS

This is an agreement between	
The employer:	
The Personal Assistant (PA):	
<p>1. The PA has been employed to provide ‘live-in’ care and support for the employer. This type of employment is classed as unmeasured work. For a daily average agreement to be valid for unmeasured work it is necessary for the employer to be able to demonstrate that the ascertained hours represent a realistic average of the time the worker is expected to work. This agreement supplements the terms and conditions of the PA’s employment contract. In any dispute relating to these two documents, the employment contract shall prevail. As outlined in the employment contract, the Personal Assistant’s (PA’s) employment with the employer started on:</p>	
Date:	
<p>2. This average daily hours agreement (‘this agreement’) outlines the average daily hours that will be worked by the PA during the period that they live-in and work for the employer. It has been agreed by the employer and the PA that:</p>	
The maximum average hours worked by the PA per day is:	
This is on average over a period of days:	
<p>3. The employer will ensure that the PA is able to take appropriate rest breaks during the period that they live in, complying with the provisions of the Working Time Regulations. Where this is not possible for practical reasons, they will receive compensatory rest breaks either during the period they live in or during their rest period. The following outlines the number of days worked as a live in PA and the rest periods:</p>	

4. the The period of live in' is the total number of days worked in one period before having a rest break. This number of days worked as live in equals:	
'The period they do not live in' is the number of rest days. This equals to:	
5. The employer has undertaken a careful consideration of their care and support needs during the support planning process and the average daily hours outlined in above is realistic on the basis of this assessment. The employer will continue to review their care and support needs on an on-going basis and will consult with the PA to issue a new average daily hours agreement and/or employment contract if these needs change.	
6. The PA will complete a timesheet to be agreed each week with the employer who will be responsible for keeping accurate records of the number of hours the PA is working and taking rest breaks. Should the PA feel that they are working more than the average daily hours outlined they should discuss this with the employer to see if adjustments can be made and/or seek further advice if they feel this is necessary. In this case, the employer will make every effort to adjust the PAs hours (where practical) or will enter into further consultation with the PA regarding their average daily hours. If the average daily hours changes a new agreement will be put in place.	
I agree to abide by the terms and conditions above.	
The employer signature	
Print name	
Date:	
The PA signature	
Print name	
Date:	