



102 Frimley House  
5 The Parade, High Street  
Frimley, Surrey  
GU16 7JQ

Tel: 01276 509306

Fax: 01276 761076

Email: [info@labourproviders.org.uk](mailto:info@labourproviders.org.uk)  
Website: [www.labourproviders.org.uk](http://www.labourproviders.org.uk)

## Briefing Note

### Supplying Meals to Workers and the Impact on NMW

In a situation where:

1. A labour provider supplies temporary workers paid at the NMW to a client.
2. An end user supplies a meal to agency workers (for instance where due to hygiene issues the client does not allow workers to bring their own food into the workplace).
3. The client passes on an obligatory charge to the labour provider e.g. £1 per worker per day as part of a contractual term.
4. The labour provider passes on the £1 charge to workers which it deducts from pay.

Then the charge levied on workers by the labour provider actually reduces pay below NMW. This is because it is both expenditure in connection with the employment and because the amount is technically regarded as a deduction for the use and benefit of the employer.

The National Minimum Wage Compliance Unit states that workers' pay should be made up to the NMW rate and any arrears should be paid.

Any labour providers to whom this applies should seek to renegotiate the terms of the contract with the end user or seek to make the meal optional and the workers pay the end user directly