



#98 HR Newsletter

Jan 2017: NMW non-payment

HMRC publish excuses from companies as to why they haven't paid the National Minimum Wage to their staff.

The best of them made their Annual "top 10" for 2016

10. **Her job's too menial**
"She doesn't deserve the national minimum wage because she only makes the teas and sweeps the floors."
9. **Do you know who I am?**
"The national minimum wage doesn't apply to my business."
8. **I'll pay them properly when they can do the job**
"My employee is still learning so they aren't entitled to the national minimum wage."
7. **I have a foreign accountant**
"My accountant and I speak a different language – he doesn't understand me and that's why he doesn't pay my workers the correct wages."
6. **It's not the international minimum wage**
"I thought it was okay to pay foreign workers below the national minimum wage as they aren't British and therefore don't have the right to be paid it."
5. **Because I'm worth it – they're not**
"It's part of UK culture not to pay young workers for the first three months as they have to prove their 'worth' first."
4. **Performance-related pay**
"The employee wasn't a good worker so I didn't think they deserved to be paid the national minimum wage."
3. **Yeah, but they signed on the dotted line**
"I've got an agreement with my workers that I won't pay them the national minimum wage; they understand and they even signed a contract to this effect."
2. **It's not who you are, it's who you think you are**
"My workers like to think of themselves as being self-employed and the national minimum wage doesn't apply to people who work for themselves."
1. **Standby me**
"My workers are often just on standby when there are no customers in the shop; I only pay them for when they're actually serving someone."

Remember there are only a few (a very few) situations where you are exempt from paying the NMW.

And just so we're all clear – the above 10 answers are not legitimate exemptions!