

What to do if you're not getting minimum wage

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If you're not getting paid the correct National Minimum Wage or National Living Wage rate you can:

- resolve directly with your employer
- report to HMRC to investigate
- make a claim to an employment tribunal
- make a court claim

Resolving directly with your employer

If you are not getting paid the minimum wage, you can try raising the issue with your employer. If there has been a mistake, an informal chat can be the quickest way to resolve it.

It can help if you:

- show a copy of any calculations from the [National Minimum Wage and Living Wage calculator on GOV.UK](#)
- show other evidence, for example a copy of your payslips or employment contract
- say what you'd like to happen to resolve the issue

If a minimum wage issue cannot be resolved informally, you can make a formal complaint to your employer. This is called 'raising a grievance'.

Read more about how to [raise an issue with your employer](#).

If you are not able to resolve the issue with your employer and feel you need to take things further, you can speak to an [Acas Helpline](#) adviser who will explain possible next steps and the risks and benefits of each.

Acas advisers cannot tell you what to do, give legal advice or do calculations for you, for example calculate the National Minimum Wage.

Report to HMRC to investigate

If you have not been paid the minimum wage you are entitled to, you can

make a complaint to HMRC (HM Revenue & Customs).

Complaints to HMRC can be anonymous.

HMRC has the power to investigate complaints about minimum wage, and can issue a notice for money owed to you. They can also fine employers and take them to court if they refuse to pay.

To report a complaint to HMRC you can use the [pay and work rights complaints form](#) or [call the Acas helpline](#).

Make a claim to an employment tribunal

If you believe you have not been paid the minimum wage you can make a claim to an employment tribunal. If you make a claim, your most recent National Minimum Wage or National Living Wage underpayment needs to be within 3 months of the day you start your claim.

To make an employment tribunal claim you will have to [notify Acas first](#). You and your employer will have the option of trying to resolve your dispute with early conciliation before proceeding with a tribunal claim.

Make a court claim

In some circumstances, it is possible to take your employer to court for not paying the minimum wage. For example if you're past the 3 month time limit to make an employment tribunal claim.

If you want to [make a court claim](#) you must seek legal advice first.

If you've been treated unfairly because of minimum wage

Your employer should not dismiss you or treat you unfairly (cause you 'detriment') if you:

- become entitled to a higher rate of the minimum wage
- assert your right to minimum wage
- make a complaint to HMRC

Detriment means unfair treatment that leaves you worse off, for example:

- reducing your hours
- overlooking you for promotions or development opportunities
- saying no to your training requests without good reason

If you feel you've experienced detriment or been dismissed because of minimum wage entitlement, you might be able to make a claim to an employment tribunal.