

MUNI
LAW

WORKING TIME
REST PERIODS
ORGANISATION OF WORKING TIME
NIGHT WORK

NOVEMBER 2, 2022

WORKING TIME



Directive 2003/88/EC concerning certain aspects of organisation of working time

- **PURPOSE** - Lays down minimum health and safety requirements for the organisation of working time
- **PERSONAL SCOPE OF APPLICATION** – employees in all sectors public and private with references to *framework directive on health and safety at work*

MATERIAL SCOPE OF APPLICATION

- Weekly working time
- Rest periods
- Daily rest
- Weekly rest
- Breaks at work
- Leave
- Night work
- Shifts pattern of work

WORKING TIME AND REST PERIODS - DEFINITIONS

- WORKING TIME - any period during which the worker is working, at the employer's disposal and carrying out his activity or duties, in accordance with national laws and/or practice.
- REST PERIOD – any period that is not working time.
- Directive 2003/88 **does not regulate** any other time such as e.g. *on call service or stand-by period*

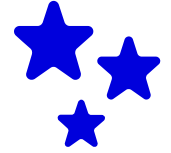
MINIMUM REQUIREMENTS

- **Maximum weekly working hours** may not exceed 48 hours including overtime
- **Minimum daily rest** – a period of 11 consecutive hours per 24-hour period.
- **Minimum weekly rest** - per each seven-day period, every worker is entitled to a minimum uninterrupted rest period of 24 hours plus the 11 hours' daily rest

BREAKS AT WORK

- Obligation of Member States to ensure where the working day is longer than six hours, every worker is entitled to **a rest break**, the details of which, including duration and the terms on which it is granted, shall be laid down in collective agreements or agreements between the two sides of industry or, failing that, by national legislation.

NIGHT WORK



- NIGHT TIME

any period of not less than seven hours, as defined by national law, and which must include, in any case, the period between midnight and 5.00

- NIGHT WORKER

(a) on the one hand, any worker, who, during night time, works at least three hours of his daily working time as a normal course; and

(b) on the other hand, any worker who is likely during night time to work a certain proportion of his annual working time, as defined at the choice of the Member State concerned

ANNUAL PAID LEAVE

- Obligation of Member States to take the measures necessary to ensure that every worker is entitled to paid annual leave of **at least four weeks** in accordance with the conditions for entitlement to, and granting of, such leave laid down by national legislation and/or practice.
- Prohibition to replace the minimum period of paid annual leave by an allowance in lieu, except where the employment relationship is terminated.

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THANK YOU!