



The Working Time Regulations

VPK Ltd is following The Working Time Regulations set minimum standards for working hours, rests and holidays. Except for young workers, defined as those over school leaving age but below age 18, the Regulations do not apply to workers in certain occupations including the police, the armed forces and civil protection. In addition, the Regulations have limited application to certain workers in the transport sector (road, rail, inland waterways, air and sea). Other groups of partially exempt workers are detailed later.

Working time and maximum working hours

Working time is any period during which a worker is working, at the employer's disposal or carrying out his activity or duties. It also includes any period when the worker is receiving relevant training and any additional periods that the employer and workers agree by relevant agreement.

With the exception of exempt workers, domestic workers in a private household and workers with unmeasured working time, workers cannot be required to work more than an average of 48 hours in a seven-day period. The average is normally calculated over a 17-week rolling reference period although it can be calculated for successive 17-week periods by relevant agreement.

The average is calculated using the formula $\frac{(A) + (B)}{(C)}$ where:

- (A) is the total number of hours worked in the reference period,
- (B) is the total number of hours worked immediately after the reference period to compensate for any 'excluded days' and
- (C) is the number of weeks in the reference period.

'Excluded days' are non-working days that occur because of holidays (up to four weeks), sickness, maternity leave, etc. Where there are excluded days during the reference period, hours worked on an equivalent number of days immediately after the reference period have to be added in to the calculation as (B).

Young workers are restricted to a maximum 40-hour week and a maximum 8-hour day and they are not permitted to average or to opt-out of these maximum hours.

Rests

Workers are entitled to a minimum uninterrupted **rest break** away from the workplace of 20 minutes if the daily working time exceeds six hours, unless a different period is agreed in a collective or workforce agreement. The rest break is 30 minutes if the daily working time exceeds four-and-a-half hours for young workers and no agreement can alter this.



The break must be continuous unless a situation arises which is unforeseen and unavoidable, in which case compensatory rest breaks must be given within three weeks. Workers engaged on 'monotonous work' are entitled to more frequent breaks, and no derogations are allowed except for domestic workers in a private household.

Derogations on daily rests can be made by collective or workforce agreements. Workers are entitled to a **weekly rest** of at least 24 consecutive hours in a seven-day reference period. For adult workers, the 24-hour weekly rest can be averaged over a 14-day reference period by giving two rest periods of at least 24 consecutive hours or one rest period of at least 48 consecutive hours in each 14-day period. The option to use a 14-day reference period is the employer's and in theory this would give a maximum continuous work period of 24 days in two 14-day periods (2 off, 12 on, followed by 12 on, 2 off).

Young workers should have a 48-hour rest period in each seven day reference period, to be taken consecutively unless the activities involve periods of work that are split up over the day or are of short duration. This can be reduced to 36 continuous hours if it can be justified for OTO reasons.

As with the 48-hour average working week, it is unlawful to take any action against workers for taking or attempting to take their entitlement to rest breaks or daily or weekly rests.