

# Working Time Directive



The European Union Working Time Directive of a 48 hour maximum working week came into effect on 1st October 1998. The Directive provides for minimum daily and weekly rest breaks, annual paid holidays, a limit on the working week to an average of 48 hours and defined hours on night duty. The employer is required to obtain details as to whether staff wish to exercise their right to \*opt out or to remain within the 48 hour per week restriction.

The maximum weekly working time of 48 hours will be averaged over 17 weeks. However, an individual employee can, if they wish, agree with their employer to work over the maximum weekly limit, but this must be in writing and on an individual voluntary basis. Individuals have the option to change their mind and opt back in. This does not create an exemption from statutory legal requirements e.g. responsibilities of individuals to comply with Health and Safety Regulations.

*\*Please note that if you choose to opt out in order that you can work over 48 hours and then choose to opt back in to the 48 hour limit you will be required to give a minimum of 7 days notice in writing.*

The 48 hours maximum per week applies to any and all paid employment collectively, not just work undertaken within this company. You are required to notify us in writing of any employment external to the company that you undertake regardless of whether you decide to opt out of the Regulations.

In order to record our legal obligations, would you please sign below in the relevant section and return one copy of this letter, retaining the second copy for your own information.

If you have any queries or concerns, or for further information, please do not hesitate to contact a member of Morgan Jones.

Name \_\_\_\_\_ Job Title \_\_\_\_\_

a) I wish to exercise my right to \*opt out of the 48 hour per week restriction of the Working Time Regulations

Signature \_\_\_\_\_ Date \_\_\_\_\_

***\*I understand that I may opt back in upon giving you 7 days notice in writing***

**OR**

b) I do not wish to exercise my right to opt out of the 48 hours per week restriction of the Working Time Regulations

Signature \_\_\_\_\_ Date \_\_\_\_\_