

Working Time Directive

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Version Number	2

1. Introduction

The Working Time Regulations 1998 came into force on 1 October 1998 and were subsequently amended by the Working Time Regulations 1999 and the Working Time (Amendment) Regulations 2003. These Regulations implement the European Working Time Directive into UK law.

The Regulations are primarily health and safety legislation, designed to protect workers from risks associated with excessively long working hours or insufficient rest. Delton Contracts Services Ltd (“the Company”) is committed to full compliance with the Working Time Regulations and to protecting the health, safety and welfare of all workers supplied or engaged by the Company.

2. Working Time Entitlements

Under the Working Time Regulations, workers are entitled to the following minimum standards:

2.1 Maximum Weekly Working Time

- A maximum average working week of 48 hours, including overtime, normally averaged over a 17- week reference period (which may be longer in certain circumstances).
- Young workers (those aged 15 to under 18) are subject to:

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- A maximum of 40 hours per week; and A maximum working day of 8 hours, except where continuity of service is required, there is a surge in demand, no adult worker is available, or where education or training would not be adversely affected.

2.2 Rest Breaks

- A minimum 20-minute uninterrupted rest break where the working day exceeds 6 hours.
- Young workers are entitled to a 30-minute rest break where the working day exceeds 4½ hours.

2.3 Daily Rest

- A minimum of 11 consecutive hours' rest in every 24-hour period.
- Young workers are entitled to 12 consecutive hours' rest.

2.4 Weekly Rest

- A minimum of 24 hours' uninterrupted rest in each 7-day period, or 48 hours' uninterrupted rest in each 14-day period.
- For young workers, a minimum of 48 hours' rest in each 7-day period.
- Weekly rest does not have to include a Sunday.

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2.5 Night Work

- Night work is restricted to an average of 8 hours in any 24-hour period.
- Where work involves special hazards or heavy physical or mental strain, night work must never exceed 8 hours in any 24-hour period.

2.6 Health Assessments

- Free health assessments must be offered:
- Prior to assignment to night work; and
- At regular intervals thereafter.
- Young workers are also entitled to capacity assessments.

2.7 Annual Leave

Workers are entitled to 5.6 weeks' paid annual leave per leave year. There is:

- No opt-out from annual leave entitlement;
- No carry-over of leave between leave years; and
- No payment in lieu of untaken leave except on termination.

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2.8 Protection from Detriment

- Workers are protected from suffering any detriment or dismissal for exercising their rights under the Working Time Regulations.
- Complaints may be brought before an Employment Tribunal.

3. Record Keeping

All employers and employment businesses are required to keep appropriate records demonstrating compliance with the Working Time Regulations, including working hours, unless a worker has opted out of the 48-hour weekly limit.

Delton Contracts Services Ltd maintains appropriate records in accordance with its statutory obligations.

4. Young Workers

For the purposes of this Policy, young workers are individuals who have reached the age of 15 but have not yet attained the age of 18.

Additional protections apply to young workers, including stricter limits on working hours, enhanced rest periods, and capacity assessments.

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5. Entitlements vs Obligations

The Regulations establish minimum standards. Employers and employment businesses may provide more than the statutory minimum. It is important to distinguish between:

5.1 Entitlements

Examples include:

- The right to rest breaks; and
- The right to paid annual leave.

Employers are not required to force workers to exercise these rights but must not prevent workers from doing so. Failure to allow entitlements may give rise to an Employment Tribunal claim.

The Health and Safety Executive (HSE) does not have the power to compel workers to take entitlements if they choose not to.

5.2 Mandatory Obligations

Examples include:

- Limits on working time (48-hour weekly limit and 8-hour night work limit); and
- Record-keeping requirements.

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- Employers must comply with these obligations. Failure to do so may constitute a criminal offence.

6. Enforcement

Where breaches occur, the Health and Safety Executive may initially issue advice or warnings. Continued non-compliance may result in legal proceedings and financial penalties.

Workers may also pursue complaints through the Employment Tribunal system.

7. Company Commitment

Delton Contracts Services Ltd is fully committed to:

- Complying with both the letter and spirit of the Working Time Regulations;
- Protecting worker health and safety; and
- Ensuring fair, lawful and transparent working arrangements.

This Policy forms part of the Company's broader commitment to responsible employment practices and legal compliance.

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17. Suspension & Force Majeure

17.1 The Purchaser may suspend delivery or performance by written notice without liability; the Supplier must protect and insure affected Goods.

17.2 Neither party is liable for delays caused by events beyond reasonable control.

18. Governing Law & Disputes

18.1 This Agreement shall be governed by and interpreted in accordance with English law, with disputes resolved in courts of England.

19. Acceptance

By supplying Goods or Services, the Supplier acknowledges acceptance of these Terms and agrees to be bound by them.