

OPT-OUT OF 48 HOUR WORKING WEEK AGREEMENT & NIGHT WORK LIMIT

IF YOU ARE 18 OR OVER AND WISH TO WORK MORE THAN 48 HOURS A WEEK, AND/OR BEYOND THE 10 HOURS NIGHT WORK LIMIT, YOU CAN CHOOSE TO OPT OUT OF THE 48 HOUR LIMIT. THIS MUST BE VOLUNTARY AND IN WRITING.

1. DEFINITIONS

- 1.1 In this Agreement the following definitions apply:- "Assignment" means the period during which the Worker is engaged to render services to the Hirer; "Hirer" means the person, firm or corporate body engaging the services of the Worker; "Employment Business" means HEADS Recruitment Ltd, Kimada House, 442 Flixton Road, Flixton, Manchester M41 6EY. "Temporary Worker" means the individual whose services are supplied by the Employment Business to the Hirer; "Working Week" means an average of 48 hours each week calculated over a 17 week reference period.
- 1.2 References to the singular include the plural and references to the masculine include the feminine and vice versa.
- 1.3 The headings contained in this Agreement are for convenience only and do not affect their interpretation.

2. RESTRICTION

- 2.1 The Working Time Regulations 1998 provide that the Temporary Worker shall not work on an Assignment with the Hirer in excess of the Working Week unless he agrees in writing that this limit should not apply.

3. CONSENT

- 3.1 The Temporary Worker hereby agrees that the Working Week limit shall not apply to this or any subsequent assignment unless the consent is withdrawn (para 4).
- 3.2 The Temporary worker will work beyond the 10 hour night work limit stated in the regulations but only to the extent where this would not be in breach of other provisions of the regulation or EU Drivers' Hours Regulations 3820/85. (See Note 1)

4. WITHDRAWAL OF CONSENT

- 4.1 The Temporary Worker may end this Agreement by giving the Employment Business 4 weeks notice in writing.
- 4.2 For the avoidance of doubt, any notice bringing this Agreement to an end shall not be construed as termination by the Temporary Worker of an Assignment with a Hirer.
- 4.3 Upon the expiry of the notice period set out in Clause 4.1 the Working Week limit shall apply with immediate effect.

5. THE LAW

- 5.1 These Terms are governed by English law and are subject to the exclusive jurisdiction of the English Courts.

I HEREBY AGREE THAT I MAY WORK FOR MORE THAN AN AVERAGE OF 48 HOURS A WEEK IN ACCORDANCE WITH PARAGRAPH 3.1 AND BEYOND THE 10 HOURS NIGHT WORK LIMIT AS PER PARAGRAPH 3.2. (Please delete if appropriate)

Signed by the Temporary Worker

Print Name

Date

Registration Number: _____

Note 1 : To comply with Health & Safety Legislation, Temporary Workers on nights are entitled to a Health Assessment for Night Workers, and a questionnaire is available on request or at jobs.heads-uk.com/resources