

Working time Regulations

The Working Time Regulations are primarily Health and Safety legislation and are intended to protect workers from the risks that arise out of working excessively long hours or for long periods without breaks. The regulations are quite detailed and the main provisions, that are subject to certain exemptions, are shown below :

Statutory leave

For the purposes of calculating entitlement to paid leave pursuant to the Working Time Regulations 1998, the leave year commences on the date that the Temporary Worker starts an Assignment or a series of Assignments.

Under the Working Time Regulations 1998, and as from 1st April 2009 the Temporary Worker is entitled to **5.6 weeks' paid leave per leave year (28 days for a person who normally works 5 days/week)** All entitlement to leave must be taken during the course of the leave year in which it accrues and none may be carried forward to the next year. Where a Bank Holiday or other public holiday falls during an Assignment and the Temporary Worker does not work on that day, the public holiday shall count as part of the Temporary Worker's paid annual leave entitlement.

Entitlement to paid leave accrues in proportion to the amount of time worked continuously by the Temporary Worker on Assignment during the leave year. Payments for annual leave will be calculated on the basis of rates paid during a clients normal working hours i.e. those which do not attract overtime rates of pay. Temporary Workers engaged on shift work will be paid for annual leave at normal day shift pay rates.

In the course of any assignment during the first year the Temporary Worker is entitled to request leave at the rate of one twelfth his total holiday entitlement in each month of his leave year. Where the Temporary Worker wishes to take any leave to which he is entitled, he should notify the Employment Business in writing of the dates of his intended absence. The amount of notice, which the Temporary Worker is required to give should be at least twice the length of the period of leave that he wishes to take.

None of the provisions of this clause regarding the statutory entitlement to paid leave shall affect the Temporary Worker's status as a self-employed worker.

Entitlement to Rest

Adult: Person over 18 years of age. **Young Worker:** Over School leaving age and younger than 18 years.

Daily Rest (Entitlement - i.e. not compulsory)

Adult: 11 hours rest in any 24 hour period.

Young Worker: 12 hours in any 24 hour period.

Weekly Rest (Entitlement - i.e. not compulsory)

Adult: 24 hours in any 7 day period.

Young worker: 48 hours in any 7 day period.

Rest Breaks (Entitlement - i.e. not compulsory)

Adult: A 20 minute break if the work is for more than 6 hours. Break cannot be taken at beginning or end of work period.

Young Worker: A 30 minute break if the work is for more than 4.5 hours. Break cannot be taken at beginning or end of work period.

The regulations also apply to Agency Workers who have traditionally controlled their own work schedule. Agency Workers can choose to opt out of the 48 hour limit in writing, if you are happy to opt out of the 48 hour limit then please sign and return the enclosed opt out form.

Should you have any questions please speak with your Assignment Administrator..

