

Working Time Regulations Collective Agreement

Introduction

The Working time Regulations were introduced in October 1998. Their objective is to ensure the safety and health of workers by granting them minimum periods of rest and adequate breaks. The Regulations are part of health and safety legislation.

The Regulations

1. 48 Hours Weekly Limit

Employees must not work for more than 48 hours per week over an averaged 17 week period

- Salisbury District Council's views working for more than 48 hours per week as excessive and may have an effect on employees' health and welfare. It is committed to trying to ensure that such working arrangements are unnecessary.
- Salisbury District Council's full time employees are contracted for 37 hours per week and are not normally expected to exceed these hours.
- Overtime levels and casual employees' working hours will be monitored to ensure that no one is exceeding 48 hours per week.
- Employees who have other jobs will also have their working hours monitored to ensure that they are not exceeding the 48 hour working limit.
- Employees who undertake standby and/or call out duties will have their working hours monitored to ensure that they are not exceeding the 48 hour working limit.
- Where this does occur employees will be invited to enter into an opt out agreement.
- Pressure will not be exerted on employees to do this.

2. Night Working

Night Workers working time should not exceed 8 hours per night over a rolling reference period of 17 weeks

Night Workers who undertake work of a physically or mentally onerous nature are subject to an absolute maximum 8 hour night shift

Night work is defined as any three hour period between the times of 11 pm and 6 am.

- Night workers' hours will be monitored to ensure that they do not exceed the limit.

3. Night Working – Health Assessments and Records

All night workers are entitled to be offered a free health assessment before being assigned to night work and regularly thereafter by a suitably qualified health professional

- All night workers will be offered six-monthly health assessments with the council's occupational health

4. Daily Rest Entitlements – Adult Workers

Adult workers are entitled to 11 hours consecutive rest in each working day

It is agreed that employees in the following work areas who are required to be on out of hours standby and/or call out duty or undertake late and early shifts will be excluded from the necessity to have eleven hours consecutive rest in each working day. All these employees will be offered an equivalent period of compensatory rest period at a later date:

- Building Control Surveyors
- Housing Repairs Operatives
- Environmental Health Officers
- Local Authority Incident officers
- Senior Park Ambassadors
- ICT Technicians
- Leisure Assistants
- Civic Attendant
- Democratic Service Officers

5. Young Workers

Young workers (those above school leaving age but below 18) are entitled to 12 hours consecutive rest each day

Young workers are entitled to receive a 48 hour rest period each week (in addition to their entitlement to the 12 hours above)

Young workers are entitled to a 30 minute break if their working day exceeds 4.5 hours

- Young workers' hours will be monitored to ensure that the council comply with the required rest period.

6. Weekly Rest Entitlements

Adult Workers are entitled to receive a 24 hour rest period each week (in addition to their entitlement to the 11 hours consecutive daily rest period). This can be for 2 x 24 hours period each 14 days or 1 x 48 hour period each 14 days

- In normal circumstances the council complies fully with this regulation.
- In exceptional circumstances when this is not possible, an equivalent compensatory rest period should be taken over 14 days, either as one 48 hour period or two 24 hour periods.

7. Rest Breaks

Where working time exceeds 6 hours workers are entitled to receive a 20 minute break during the working day. These rest breaks cannot be taken at the start or end of the working day and should not overlap with the daily rest period

Workers do not have to take the break if they don't want to.

These breaks are unpaid

- All council employees are required to take a break of at least 30 minutes during their working day, after a maximum of 6 hours work
- More frequent, but shorter breaks will be provided for those doing uninterruptible or monotonous tasks. The council does not currently have any jobs that fall into these categories.

8. Paid Annual Leave

Workers are entitled to paid annual leave (20 days minimum)

This must not be replaced by payment in lieu except on termination of employment

- All council employees are entitled to a minimum of 22 days paid annual leave plus bank and statutory days.
- Casual employees are currently paid an additional amount to compensate for annual leave. If this is found, at a later stage, to be in breach of the working time regulations this arrangement will be reviewed.

Appeals

Employees have the right not to suffer detriment when exercising their rights under the Working Time Regulations. Appeals arising out of the application of this agreement will be dealt with under the council's Grievance and Disputes procedure.

Review

This agreement will be periodically reviewed jointly with the Trade Unions in the light of experience or any developments in employment legislation or best employment practice. It will be revised where necessary in order to ensure its continuing relevance and effectiveness.

UNISON and T&GWU entered into this agreement on behalf of all the employees and their signatures are duly authorised to sign on UNISON/TG&WU's behalf.

The Council's signatories are duly authorised to sign this agreement on the Council's behalf

Signed
Head of Personnel and Training Services

Date:

On behalf of Salisbury District Council

Signed by
on behalf of UNISON

Date:

Signed by
on behalf of TG&WU

Date: