Organisation of working time to cover sectors and activities excluded from Directive 93/104/EC

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The Conciliation Committee reached agreement after a difficult conciliation process on a joint text for the working time directive, the first major item in the social field to be decided by conciliation. The two sides reached agreement on the most difficult issue, namely the working hours of doctors in training. The new provisions will bring junior doctors into the scope of the Directive (so that they have an average 48-hour working week) after 9 years. Originally Council suggested 13 and Parliament 4 years. The nine-year period will consist of a four-year transposition period and a five-year transitional period. All the other provisions of the directive will become effective directly after an implementation period of 3 years. During the first 3 years of the transitional period for doctors in training, the number of weekly working hours must not exceed 58 hours, and during the last 2 years 56 hours. The Conciliation Committee acknowledged that for some Member States, 9 years could be too short to permit the necessary adjustments to the training systems and human resource management of their health care services. Therefore, in exceptional circumstances, a Member State may, under a stringent procedure, obtain an extension of up to 2 years. In case of special difficulties and after going through the same procedure, a Member State may have up to one more year before moving to the 48 working hour regime. During such additional periods, the number of average weekly working hours may not exceed 52. The two sides also reached a compromise on the other remaining issues, such as the definition of mobile workers, the provisions concerning sea-fishermen, and the implementation period. As stated above, the general implementation period of the directive will be 3 years with the exception of the provisions relating to junior doctors.