Organisation of working time: sectors and activities excluded from the directive 93/104/EC. White paper

1997/2192(COS) - 15/07/1997 - Non-legislative basic document

OBJECTIVE: presentation of the White Paper on Sectors and Activities excluded from the Working Time Directive (93/104/EC) SUBSTANCE: the aim of the Communication is to initiate wide consultation of the parties concerned on an approach designed to ensure the protection of the health and safety, from the working time point of view, of workers currently excluded from the Working Time Directive (93/104 /EC). The aim of the Directive is to ensure that workers are protected against adverse effects on their health caused by excessively long working hours and inadequate rest. To this end, the Directive provides for: - a minimum daily rest period of 11 consecutive hours a day, - a rest break where the working day is longer than 6 hours, - a minimum rest period of one day a week, - a maximum working week of 48 hours, including overtime, - 4 weeks' annual paid holiday, - a ban on night-workers working more than 8 hours in 24. However, certain sectors and activities are excluded from the scope of the Directive: air, road, rail, sea and inland waterway transport; sea fishing and other work at sea; doctors in training. The Commission notes that there are workers in these sectors (which represent 4% of total employment in the EU) who have no protection against long working hours or no guarantee of adequate rest. It sees no objective reasons for this exclusion and would like a pragmatic approach to be adopted, consisting of differentiating between those activities which can be accommodated under the Directive and those which require specific measures. This would entail: - extending the full provisions of the Directive to all non-mobile workers (existing derogations would be adjusted to take account of the need for continuity of service and operational constraints), - extending the provisions of the Directive on four weeks' paid annual leave and health assessments for night workers to all mobile workers and those engaged in 'other work at sea' (it would also be necessary to guarantee adequate rest and stipulate a maximum number of hours to be worked annually); - introducing or amending specific legislation for each sector or activity concerning working time and rest periods for mobile workers and those engaged in 'other work at sea'. The deadline for reactions to the White Paper is 31 October 1997.