

# WORKING HOURS POLICY

## Introduction

This Policy applies to all L Lynch Plant Hire & Haulage staff and aims to provide the necessary framework to ensure that all members of staff are aware of the legal working hours rights of workers and the responsibilities of management.

## Statement of Intent

L Lynch Plant Hire & Haulage Ltd is committed to ensuring the company's operations are undertaken in a lawful way and that consideration is given to the way working hours are arranged in order for the business to be managed and that staff may balance their responsibilities at work and at home.

## Policy Aims

### Working hours

The way working hours are arranged can help an organisation to manage its business and help workers with their work/life balance. Many businesses are under pressure to satisfy demands 24/7 and must balance this with the needs of their workers. This is leading to a more flexible working approach, which includes flexible start and finish times, shift work, job sharing or homeworking.

### Key points

The Working Time Regulations govern the hours most workers can work and set:

- limits on an average working week.
- statutory entitlement to paid leave for most workers.
- limits on the normal hours of night work and regular health assessments.
- special regulations for young workers.

### Working hours

The Working Time Regulations determine the maximum weekly working time, patterns of work and holidays, plus the daily and weekly rest periods. They also cover the health and working hours of night workers. The Regulations apply to both part time and full-time workers, including the majority of agency workers and freelancers, although certain categories of workers are excluded.

In general the Working Time Regulations provide rights to:

- a limit of an average 48 hours a week on the hours a worker can be required to work, though individuals may choose to work longer by "opting out" whilst completing the employee application form.
- paid annual leave of 5.6 weeks' a year.
- 11 consecutive hours' rest in any 24-hour period.
- a 20-minute rest break if the working day is longer than six hours.

Owner: Head of HSQE	Version: 14	QP09
<b>Uncontrolled if printed or copied. Always check for latest version.</b>		Page 1 of 3

## WORKING HOURS POLICY

- one day off each week.
- a limit on the normal working hours of night workers to an average eight hours in any 24-hour period, and an entitlement for night workers to receive regular health assessments.

There are special regulations for young workers, which restrict their working hours to 8 hours per day and 40 hours per week, with 12 hours rest in-between. The rest break is 30 minutes if their work lasts more than 4.5 hours. They are also entitled to two days off each week.

### Overtime

Overtime is hours that are worked above the normal contracted full time hours as defined in the terms of employment. On occasion, staff may be requested to voluntarily work additional hours depending on business needs.

### Night working

A night worker is someone who normally works at least 3 hours during the night period, which is the period between 11pm to 6am, unless the worker and employer agree a different night period.

Night workers should not work more than an average of 8 hours in 24-hour period. This average is usually calculated over a 17 week reference period, but it can be over a longer period if the workers and employer agree. Regular overtime is included in the average and workers can't opt out of this limit.

Employers must offer workers a free health assessment before they become a night worker and on a regular basis while they are working nights. Workers do not have to accept this health check.

### 48 hour working week

Normally most workers don't have to work on average more than 48 hours per week unless they agree to. If workers agree to work beyond the 48-hour limit they must put it in writing, this is generally known as an opt-out. Workers have the right to cancel the opt-out agreement, although they must give their employer at least 7 days' notice - a longer period of notice may be agreed by the employer, but it can be no longer than 3 months.

The average working week is calculated by taking the average over a 17 week reference period.

Young people (16 and 17 year olds) normally cannot opt-out of the 48 hour working week, as they may not work more than a 40 hours per week.

### Compensatory rest

In some circumstances a worker may be required to work during a rest period and may have to take rest later, this is known as compensatory rest. Compensatory rest is usually the same length of time as the break or part of the break that a worker has missed.

Owner: Head of HSQE	Version: 14	QP09
<b>Uncontrolled if printed or copied. Always check for latest version.</b>		Page 2 of 3

## WORKING HOURS POLICY

This policy will be communicated to all employees and organisations working on our behalf, displayed at our offices and on our intranet and is available to defined interested parties.

This policy will be reviewed annually or sooner by senior management to ensure its suitability. Where necessary it will be amended, reissued, and communicated to all employees and people working on its behalf.



Rob Lynch  
Joint Managing Director

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Owner: Head of HSQE	Version: 14	QP09
<b>Uncontrolled if printed or copied. Always check for latest version.</b>		Page 3 of 3